

JAMES B. WELLS: SOUTH TEXAS ECONOMIC  
AND POLITICAL LEADER

by

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## PREFACE

For four decades prior to his death in 1923, James B. Wells, Jr., was the best-known political leader in South Texas. Schooled in the rough-and-tumble politics of the Lower Rio Grande frontier, he dominated the Democratic Party in the vast trans-Nueces region and managed, most of the time, to get his choices elected to local offices, the Texas Legislature, and the United States Congress. Moreover, at the height of his power, he was a significant member of the state's ruling faction and served two terms as Chairman of the State Executive Committee of the Democratic Party. At the same time, he had a principal role in the economic development of the Lower Rio Grande Valley into a garden paradise. His biography illustrates well the economic transition of this particular region and the distinctiveness of South Texas politics.

In preparation of this dissertation, I am deeply indebted to Professor Ernest Wallace whose tireless effort brought order out of a chaos of facts and to Professors Alwyn Barr, Lowell L. Blaisdell, James V. Reese, William P. Tucker, and David M. Vigness for their helpful criticism. For providing materials and other information relating to Wells, I am grateful to Robert C. Wells of Houston, Texas,



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## CHAPTER I

### THE FORMATIVE YEARS

The afternoon of November 19, 1910, arrived resplendent in Brownsville; a turquoise sky alternately appeared opaque and then translucent. A mild southerly breeze conveyed a scent of rain from far out in the Gulf of Mexico. Fronting on busy Elizabeth Street, a large, friendly frame house was dressed for a festive occasion, but all was quiet there for the time being. On the red brick sidewalk, which reached from a veranda to the street, a small fox terrier, "Foxey," drowsed lazily in the afternoon sun; two cats warily watched the feist from their vantage point in an orange tree near the yard fence. Over the center arbor of the house two flags, Mexican and United States, were crossed, while over the dormer windows and at either end of the structure small blue pennants fluttered in the light wind. A large blue ensign, twelve feet long and six feet high, hung across the face of the building to complete an unusual ornamentation; the garnishment was part of the preparation for the big "blue" celebration.<sup>1</sup>

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<sup>1</sup>Joseph K. Wells (son, 1886-1941) to James B. Wells (hereafter cited as J. B. Wells), November 19, 1910, James B. Wells Papers, Archives, University of Texas Library, Austin (hereafter cited as Wells Papers).

The Blue Club was Brownsville's venerable Democratic political fraternity, and the fete of November 19 was to commemorate its recent triumph at the polls. Merrymaking began that day with a barbecue at the baseball park. Afterward, an estimated eight hundred men formed a parade fully five blocks long. And, at precisely two o'clock, Sheriff C. T. Ryan, whose symbol of prerogative was a wide blue sash, beckoned, and the procession moved smartly up Elizabeth Street, two bands and ten bugles piercing the Brownsville quiet. In the vanguard, several men carried aloft a huge American flag and sundry blue banners, including the one presented to the Club by the city school teachers. Leading the rank and file was Justino Lopez astride a prancing dun stud, a reminder to one and all of the city's proud caballero heritage. When it reached the festooned house, the cavalcade paused while the bands played the Star Spangled Banner and then the Mexican National hymn.<sup>2</sup>

Taking notice of the pageantry but not participating in the festivities was a robust man of medium height, wearing a dark blue serge suit and a black hat. Although his characteristic demeanor was that of a somber, dignified judge, a merry twinkle in his eye betrayed his enjoyment of the scene. The onlooker was the long time jefe and padrino of the Blue Club, James B. Wells, Jr.

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<sup>2</sup>Ibid.



James Babbage Wells, Jr., was the only son of James B. and Lydia Ann Dana Hastings Hull Wells. By birth, the elder James Wells was a Georgian, born in 1808 near Macon, but his heritage and early environment were strictly New England. Orphaned while quite young, he was taken into the home of an uncle, Moses Carlton of Boston. There, he was nurtured in the mercantile atmosphere of life on or near the sea, acquiring a Calvinistic devotion to God and hard work. His years with the kindly Carltons so molded the character and loyalty of the appreciative young Wells that later he could not be induced to take up arms against New England despite his Southern ties and persistent and unfriendly persuasion.<sup>3</sup>

The benevolent uncle, Moses Carlton, was a prominent ship owner, several of his vessels having been commissioned as privateers during the War of 1812. His home and his daring enterprise provided an environment of seafaring, high adventure for Wells as he developed into young manhood. Although Carlton tried to dissuade him, the vision of a career at sea naturally caught young Wells' fancy. When Carlton endeavored to enroll him in Harvard, the future Texan stowed away on one of his uncle's ships and began a series of nautical adventures that eventually brought him to the Mississippi and Red rivers and the command of a river steamer. There,

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<sup>3</sup>Robert C. Wells (son of James B. Wells, Jr.), Houston, Texas, to J. R. Baulch, interview, July 9, 1973.

plying the Mississippi waters, Captain Wells matured as a young adult, forming life-long associations and new loyalties while tacitly following the changes of fortune of Stephen Fuller Austin and Texas under the rule of Antonio López de Santa Anna.<sup>4</sup>

The course of the senior James Wells' life was changed dramatically in the mid-1830's as a result of a chance encounter in the lobby of the St. Charles Hotel in New Orleans. There, family tradition alleges, Wells met and determined to marry Lydia Ann Dana Hastings Hull. However, the beautiful Woodville, Mississippi, girl rejected his impulsive overtures and married one William Pay.<sup>5</sup> For sometime thereafter, the dejected sailor fretted away his time, yearning for a raison d'etre.

The Texas War of Independence provided such a reason. In response to Texan entreaties for assistance, Wells recruited in New Orleans a group of sailors and longshoremen and, upon arriving in Texas, placed himself and the men under the command of General Sam Houston.<sup>6</sup>

Welcoming the new recruits, Houston assigned Wells to the Texas Navy where he served as the sailing master of the

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<sup>4</sup>Ibid.

<sup>5</sup>Ibid.

<sup>6</sup>Ibid.

Brutus for the duration of the war.<sup>7</sup> Many years later, Wells enjoyed relating stories of his war experiences to his son who, in turn, recounted them to his children. A tale particularly relished described an action of the Brutus. One night, at Cox's Point on the Texas coast, the crew of the Brutus slipped ashore and located an enemy supply depot. Quietly setting fire to the stores, the sailors then cut loose and stampeded the horses before their activities were discovered. Retreating beyond the range of enemy muskets, the crew added insult to injury by laughing and jeering at the enraged Mexicans.<sup>8</sup>

After the Texas Republic had been established de facto, Sam Houston was elected President of Texas. One of his first acts was to commission James B. Wells as the first commandant of the Galveston Navy Yard. Wells remained at this post until 1838 when he resigned from the armed forces.<sup>9</sup> Since serving the Texas Republic was not a lucrative employment, he left the navy to accept a land grant on the mainland opposite Galveston Island. Family tradition, again, holds that the land was promptly exchanged for thirty-six pistols and the

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<sup>7</sup>Petition of James B. Wells, Sr., 1870, Memorials and Petitions, Archives, Texas State Library; Mrs. Harry J. Morris (ed.), Founders and Patriots of the Republic of Texas (Dallas: Huggins Printing Company, 1963), p. 333.

<sup>8</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>9</sup>Petition of James B. Wells, Sr., 1870, Memorials and Petitions, Archives, Texas State Library.



pistols sold to raise money.<sup>10</sup> Whatever the reason, the land did not long remain in Wells' possession.

Documentation of Wells' activities between 1838 and 1850 is unavailable; nevertheless, two events of this period can be surmised. First, Wells acquired St. Joseph's Island on the Texas coast; it was in his possession in 1850. The island, a natural enclosure, offered special facilities for cattle grazing, and Wells, perhaps, became a rancher. Second, he married Lydia Ann in 1844, probably persuading her to come to Texas sometime after her first husband's death. The Wells erected a home on the south end of St. Joseph's Island, across from Rockport, and built a thriving schooner trade in cattle, dried beef, horns, bones, and tallow.<sup>11</sup>

Although born in Mississippi, Lydia Ann Dana Hastings Hull Wells, as her name suggests, also had New England antecedents. Descended from the Danas of Boston, a family with many interests in the South and along the Rio Grande, Lydia Ann revered strict Puritan values and instilled in each of her children religious virtues and devotion to duty. And she taught her offspring the Bible from beginning to end. Throughout his life, the younger James B. Wells

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<sup>10</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>11</sup>J. Harbert Davenport, "Life of James B. Wells," Davenport Papers, Archives, University of Texas Library (hereafter cited as Davenport Papers); Morris, Founders and Patriots, p. 333.

strongly reflected this religious training. No lawyer dared essay to quote or cite the Bible in courtroom debate with him after a few who tried were put to rout.<sup>12</sup>

Life on St. Joseph's Island was good to the Wells. There the young couple began rearing a family and accumulating modest material wealth. Lydia Ann's son from her previous marriage and her mother joined them, and the four islanders welcomed James Babbage Wells, Jr., into the family on July 12, 1850.<sup>13</sup> Some time prior to 1860, to escape the storms which periodically ravaged St. Joseph's Island, the father built a new home on the Lamar Peninsula and moved his family there.<sup>14</sup> Lydia Ann's mother died before the removal, however, and was buried on the island.<sup>15</sup>

Lamar was a lonely place for a young boy. Located on the north shore where Copano and Aransas bays meet, in those days it was very isolated, far from Victoria and Refugio. The closest contact with the outside world was by boat to Rockport. Few people lived in Lamar and even fewer in the surrounding country. Heavy live oak groves extended from the water westward, and an infertile coastal prairie to the

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<sup>12</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>13</sup>The date 1850 is believed to be correct by a son, Robert Carlton Wells. James B. Wells listed his birthdate at various times as 1850, 1851, and 1854.

<sup>14</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>15</sup>Davenport, "Life of James B. Wells," Davenport Papers.



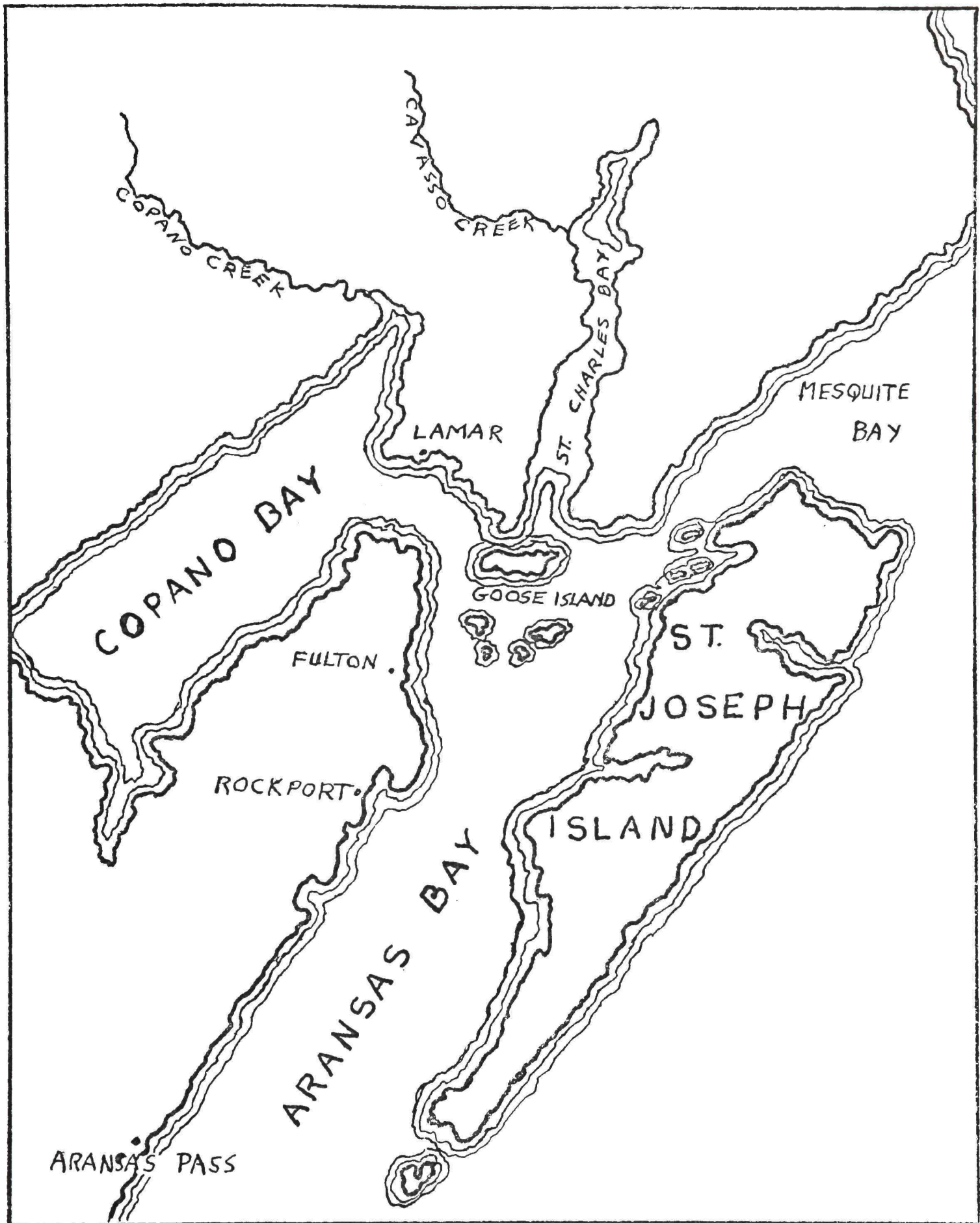


Fig. 1. The Lamar Vicinity.

northwest discouraged settlement and completed the solitude of the Wells' homesite. The Lamar area was poor cattle country and very unpromising, but it probably offered the elder Wells a much desired haven from passionate Texas secessionists. Here, at Lamar, the family greeted four daughters: Miriam, Hannah Sophia, Susan, and Frances.<sup>16</sup>

The basic qualities of James B. Wells, Jr., were shaped at Lamar where his mother directed his education and development. Subjected to years of swimming, boating, hunting, fishing, and work as a cowboy, he grew into a strong, robust man. Outside his family he had very few social contacts. The only playmate he ever mentioned in his later years was a young black child known as Jeff. Since the Wells family opposed slavery, Jeff may possibly have been an orphan taken in by the family. The two boys played, hunted, fished, and studied together at the knee of Lydia Ann.<sup>17</sup> The association, no doubt, was at least partially responsible for Wells' non-racist behavior in his subsequent dealing with the population along the Rio Grande. Wells was at home with anyone; he was an obvious extrovert, demonstrating his acceptance of the consanguinity of all mankind.<sup>18</sup>

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<sup>16</sup>Agreement, J. B. Wells to Fannie W. Heard (sister), August 15, 1908, Wells Papers.

<sup>17</sup>Jeff eventually became a preacher in San Antonio. Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>18</sup>Caller Times (Corpus Christi), July 12, 1953.

Growing up in close proximity to nature engendered in young Wells a deep and abiding love for all wildlife. He could not bear to see an animal or bird suffer; yet, his tenderness did not preclude his enjoyment of the hunt under controlled conditions. He was an expert wing shot and stalked doves, ducks, geese, and quail. But, he refused to shoot a bird at rest or over a dog because he believed such tactics were unfair. He disliked the hunting of other game, including deer, and he absolutely refused to condone the use of a rifle, convinced that it gave the hunter an unreasonable advantage.<sup>19</sup> In later life, Wells permitted his sons to keep a small herd of deer on his "Little Pasture" just outside Brownsville, and he was an avid supporter of the Audubon Society. His feeling for wildlife, particularly birds, ultimately resulted in his primacy in the drive to establish wildlife sanctuaries in Texas.

The primary education of James B. Wells, Jr., was the responsibility of his mother.<sup>20</sup> No public school existed on St. Joseph's Island, and the one-room institution at Lamar scarcely offered the instruction that Lydia Ann felt necessary for her "Jamie." Documentary evidence does not exist to attest to the quality or adequacy of training provided by Lydia Ann, but James B. Wells, Jr., was sufficiently culti-

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<sup>19</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>20</sup>Ibid.



vated and disciplined to enter the University of Virginia in 1874 and to complete the two-year law curriculum in one year.

While yet a child, Wells was constrained, as a consequence of the Civil War, to accept responsibility for his family's welfare. Because of his opposition to the war, the elder Wells was incarcerated for six months in the Confederate prison at Gonzales, Texas. Young Jamie, the only male left at home during the interval, assumed the operation of his father's ranch, becoming an adept horseman and mastering the other essential skills of the cowboy. And his accountability did not diminish with the return of his father. Because the older Wells, whose health and strength had dissipated in the privation of the Gonzales detention, never regained his vigor and vitality, young James continued to operate the family cattle business and to retain responsibility for the family fortunes.<sup>21</sup>

The assumption of duty as head of the family led to James Wells' involvement with the local vigilante committee at Lamar. Following the failure of normal methods of crime control after the outbreak of the Civil War, cattle rustling became rife in the Aransas region. The public consented to extralegal measures when all else had failed, and James Wells, not yet fifteen years of age, was one of those chosen

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<sup>21</sup>Davenport, "Life of James B. Wells," Davenport Papers.

for participation. Years later, Wells refused to discuss the vigilante committee's activities and was often reluctant to admit that he had been active in its work.<sup>22</sup> His reluctance, however, may provide some insight into his motivation to be a lawyer. Perhaps his inculcation in extralegal affairs was the reason for his ensuing respect and love for the law and for his aspiration to become an officer of the law.

For a time after the Civil War, Wells managed well the family ranch. By 1868, he had accumulated enough money to add 265 acres to the family estate.<sup>23</sup> The acquisition, though small by his later standards, was the harbinger of a significant aspect of his life career. It was the first of hundreds of thousands of acres he would purchase for himself and his clients.

When, during the panic of 1873, the cattle business began to suffer, James Wells concluded that the time was propitious to leave the cattle industry for a cherished dream—the study of law. He persuaded his parents that the family's strong fiscal condition would enable him to take a year's leave of absence for the purpose. As this was the only major indulgence his son ever had asked of him, the father could not refuse. He authorized his son to sell a portion of the land holdings and all the cattle except the

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<sup>22</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>23</sup>Thomas Amaro Original Survey patented to J. B. Wells, November 17, 1868, Deed Record, Wells Papers.



brood stock.<sup>24</sup>

In 1874, James Wells, Jr., entered the University of Virginia Law School. Leaving his parents enough money to live on for a year, he took little with him to Charlottesville. He is reputed to have supported himself by playing poker on Saturdays, always quitting the game at midnight because he promised his mother he would not play cards on Sunday.<sup>25</sup> Although this episode cannot be corroborated, except by inference, James Wells did love poker, and, along with bird shooting, it remained for him a favorite diversion throughout his life.<sup>26</sup>

At Charlottesville, Wells enjoyed a happy and busy year, and, afterward, he fondly recalled events and friendships made there. Among his classmates were Thomas Nelson Page, Charles Steele, Olmstead Gordon, Bryan Callighan of San Antonio, W. O. Washington of Cameron County, and Lionel Gardiner Tyler, son of former President John Tyler.<sup>27</sup> Wells' closest friend and confidant was W. D. Givens of

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<sup>24</sup>Power of Attorney, James B. Wells, Sr., to James B. Wells, Jr., Coleman-Fulton Pasture Company Documents, Wells Papers.

<sup>25</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>26</sup>A plea for Wells to extend credit for a gambling debt written into his college class notebook. J. B. Wells, College Notebook, 1874, Texas Southmost College Library, Brownsville.

<sup>27</sup>Davenport, "Life of James B. Wells," Davenport Papers.

Indianola, Texas. The two lawyers-to-be, brothers in Delta Psi fraternity, hoped to return to Texas and practice law together.<sup>28</sup>

The University of Virginia profoundly affected the legal philosophy of James Wells. Quoting Sir Edward Coke, Professor John B. Minor impressed upon Wells that he who "Knoweth the Law and Knoweth not the reason thereof, soon loseth his superficial Knowledge." He went on to advise, "To become a good lawyer, one must by reading make himself a full man; by speaking a ready man, and by writing an accurate man."<sup>29</sup> The student lawyer was admonished not to attend court with a view of learning law but of seeing applied the principles learned through individual study. Following carefully the advice of John Minor, Wells later credited him with being chiefly responsible for his successful legal career.<sup>30</sup>

The political James B. Wells was also a product of the Virginia school. Imbued with the concept that the educated citizenry succeeded to the stewardship of the democracy, he accepted the doctrine that the general populace was inclined to participate in government only to the extent

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<sup>28</sup>J. B. Wells, College Notebook, 1874.

<sup>29</sup>Ibid.

<sup>30</sup>L. E. Daniell, Types of Successful Men in Texas (Austin: Eugene von Boeckmann, Printer and Bookbinder, 1890), pp. 68-70.

of exercising a veto at the ballot box over decisions made by the leadership. Many years later, after he had opportunity to test his concepts in the arena of Texas politics, he still did not feel that the average citizen concerned himself with either the qualifications of prospective public servants or the implications of proposed legislation. Therefore, he held that it was incumbent upon public leaders to screen applicants for office and to advise the masses as to the course of the democracy. Responsible guidance by an elite, he believed, was truly "Jeffersonian."<sup>31</sup> Although he found politics and politicians personally repugnant, his feeling of duty caused him to pursue political power in Texas for forty years.<sup>32</sup>

On July 1, 1875, James B. Wells, Jr., accomplished the unusual feat of successfully finishing law school in one year and was awarded the LL.B. Degree.<sup>33</sup> Following his year of formal training, he spent several months studying commercial law and learning Texas procedure in the Galveston law office of Gresham and Mann.<sup>34</sup> Then after securing State Bar Association approval in 1876, he returned to

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<sup>31</sup>Henry F. Hord (Brownsville) to J. B. Wells, July 13, 1886, Wells Papers.

<sup>32</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>33</sup>Deborah Arnette, Registrar, University of Virginia, to J. R. Baulch, July 24, 1973.

<sup>34</sup>L. E. Daniell, Texas: The Country and Its Men (n.p., n.d.), p. 574.



Aransas County and opened a law office in Rockport.

The practice of law in Aransas County proved to be an unprofitable venture. There was comparatively little legal business there, and competition for it was especially keen. Since his Rockport practice never prospered, Wells determined, with but little money, to move to the new and booming town of Corpus Christi. There, he hung out his shingle in 1877 at the St. James Hotel, the commercial center of early Corpus Christi.

Legal business for the young attorney was as slow in Corpus Christi as it had been in Rockport. In a short time, his financial resources were almost exhausted. Rather than give up, he elected to move to a cheap boarding house where for a while longer he could endeavor to establish a practice. However, William Biggio, the proprietor of the St. James Hotel, came to Wells' rescue. Convinced that the young lawyer was honest and deserving and that his chances for success were better in his present location, he offered to room and board Wells without cost until he could become self-sustaining. Accepting, Wells never forgot Biggio's generosity; he never roomed elsewhere when in Corpus Christi, even after the St. James Hotel deteriorated and newer hotels supplanted it in reputation, grace, and comfort. After he had gained state-wide prominence, travelers to Corpus Christi were often astonished to see Wells pass from passenger coach to passenger coach on incoming trains soliciting business for

Biggio and the ancient St. James Hotel.<sup>35</sup>

While lodging with Biggio, Wells soon achieved a measure of financial success. After a short period of inactivity, he attracted several important clients including one of the region's largest ranches, the Coleman-Fulton Pasture Company of Refugio and San Patricio counties.<sup>36</sup> Specializing in real estate matters, he earned substantial fees and then began to speculate in land. North and west of Lamar, he acquired in July, 1877, one-half of an undivided interest in 11,640 acres in Refugio County and, in the following November, another 1,280 acres in the same vicinity. He later sold this property for one dollar an acre.<sup>37</sup> Although evidence is lacking, land speculation must have profited Wells for he was soon inquiring about land as far away as Wise County in North Texas.<sup>38</sup> In partnership with H. H. Metcalf of River Bend, Colorado, he also invested in a Colorado cattle feeding operation, earning in 1877 at

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<sup>35</sup>During his twilight years, whenever he heard the whistle of an approaching evening train, William Biggio would shuffle out on to the old hotel's portico and turn on the one hanging electric light. Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>36</sup>P. E. Lockwood (client) to J. B. Wells, Coleman-Fulton Pasture Company Documents, Wells Papers.

<sup>37</sup>Transfer of one-half of an undivided interest in 11,640 acres, Documents of the Coleman-Fulton Pasture Company, Wells Papers; J. B. Wells to James Hart, June 22, 1877, Wells Papers.

<sup>38</sup>Hale and Salmon (land agents) to J. B. Wells, November 10, 1877, Wells Papers.



least \$1,390.00.<sup>39</sup> From his various ventures, Wells accumulated enough surplus during the year to advance his father the purchase price of 3,000 acres in Aransas County.<sup>40</sup>

Unknown to him, a duel in Matamoros in February, 1878, changed the whole course of James B. Wells' life. While practicing in the courts of Corpus Christi, Wells was observed by several important counsellors who were impressed with his talent and his penchant for remembering the details of thousands of Texas land titles. Among the lawyers were former Governor Edmund J. Davis, a future Texas Supreme Court Chief Justice, John W. Stayton, and the counsel for Mifflin Kenedy and Richard King, Stephen Powers of Brownsville, whose law partner, Nestor Maxan, had been killed in the duel. Because of his advanced years, Powers needed a young, intelligent associate, and, liking Wells, asked him to be his new partner.

Wells was somewhat awed by the offer of an alliance with Powers, the renowned head of the Democratic Party below the Nueces River. Fretting, he remarked to an old Lamar friend, C. E. Townsend, "Why . . . if I accept this law partnership, I must give up gambling!" Laughing, Townsend replied "go - accept, it is the chance of your lifetime."

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<sup>39</sup>H. H. Metcalf to J. B. Wells, May 27 and April 15, 1877, Wells Papers.

<sup>40</sup>Agreement, J. B. Wells to Fannie W. Heard, August 15, 1908, Wells Papers.

Forty years later, he recalled that Wells, in 1878, was prone to sit under a mesquite tree and wager away all of his cattle in a poker game "and with a smile get back to the law books and coin another start."<sup>41</sup> But, in the final analysis, the job seemed more important, and, on June 22, 1878, a youthful, ebullient, and carefree James B. Wells, Jr., arrived in Brownsville to embark upon the most significant phase of his life.

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<sup>41</sup>C. E. Townsend to J. B. Wells, March 18, 1918, Wells Papers.

## CHAPTER II

### THE LOWER RIO GRANDE VALLEY IN 1878

Precisely defined, the country of the Lower Rio Grande is not a valley. A "valley" is a furrow or an indentation between uplands, hills, or mountains. It may be a flat or relatively low region drained by a great river system.<sup>1</sup> The Lower Rio Grande Valley differs in that it is a broad, alluvial coastal plain and delta hundreds of miles from any mountains. Moreover, beyond the river bank, the land slopes slightly toward the northeast and away from the Rio Grande.<sup>2</sup> The territory was not generally designated as a "valley" when James Wells arrived in Brownsville, but during his era the sobriquet gradually became commonly accepted. As a geographical conception, the Valley means that area encompassing the present counties of Cameron, Hidalgo, Starr, and Willacy.

Use of the land in the Valley in 1878 was limited

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<sup>1</sup>Webster's New International Dictionary of the English Language (2d ed.; Springfield, Massachusetts: G. and C. Merriam Company, Publishers, 1958).

<sup>2</sup>Douglas McKay, W. A. Doxheimer, and Howard E. Robbins, Report on Alternative Plans for Diversion and Distribution of Rio Grande Flows below Falcon Dam in Texas (Austin, Texas: United States Department of Interior, Bureau of Reclamation, Area Planning Office, 1954), p. 6.



largely to ranching. Few believed that more than insignificant portions of it could be profitably tilled or utilized in any other manner. Spanish and Mexican land grants reflected the view that this semiarid land possessed too little water for other than pastoral usefulness.

Land was apportioned to the original settlers in grants and in porciones. The latter were ribbons of land fronting on the Rio Grande and extending inland from eleven to sixteen miles.<sup>3</sup> Containing from 250,000 to 500,000 acres each, the best known of the larger grants were the Espíritu Santo, the San Juan de Carricitos, and the San Salvador del Tule.<sup>4</sup> The largest, the San Juan de Carricitos, contained 106½ square leagues of land. Purchased for the low price of twenty-five cents per acre, it became the heartland of the King Ranch.

Because Valley land was not public domain, settlers, who came from the northeast, were confronted with an entirely new situation. The land was wholly private property, and little of it was for sale. Preferring to borrow against their holdings or to lease their land when in financial need,

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<sup>3</sup>Trudie Waddell Huie, "A History of the Water Problems of the Lower Rio Grande Valley of Texas" (unpublished Master's thesis, Texas A and I University, Kingsville, 1957), p. 3.

<sup>4</sup>J. Harbert Davenport and J. T. Canales, The Texas Law of Flowing Waters with Special Reference to Irrigation from the Rio Grande (Brownsville, Texas: Private Printing, April 9, 1949), pp. 13-15.



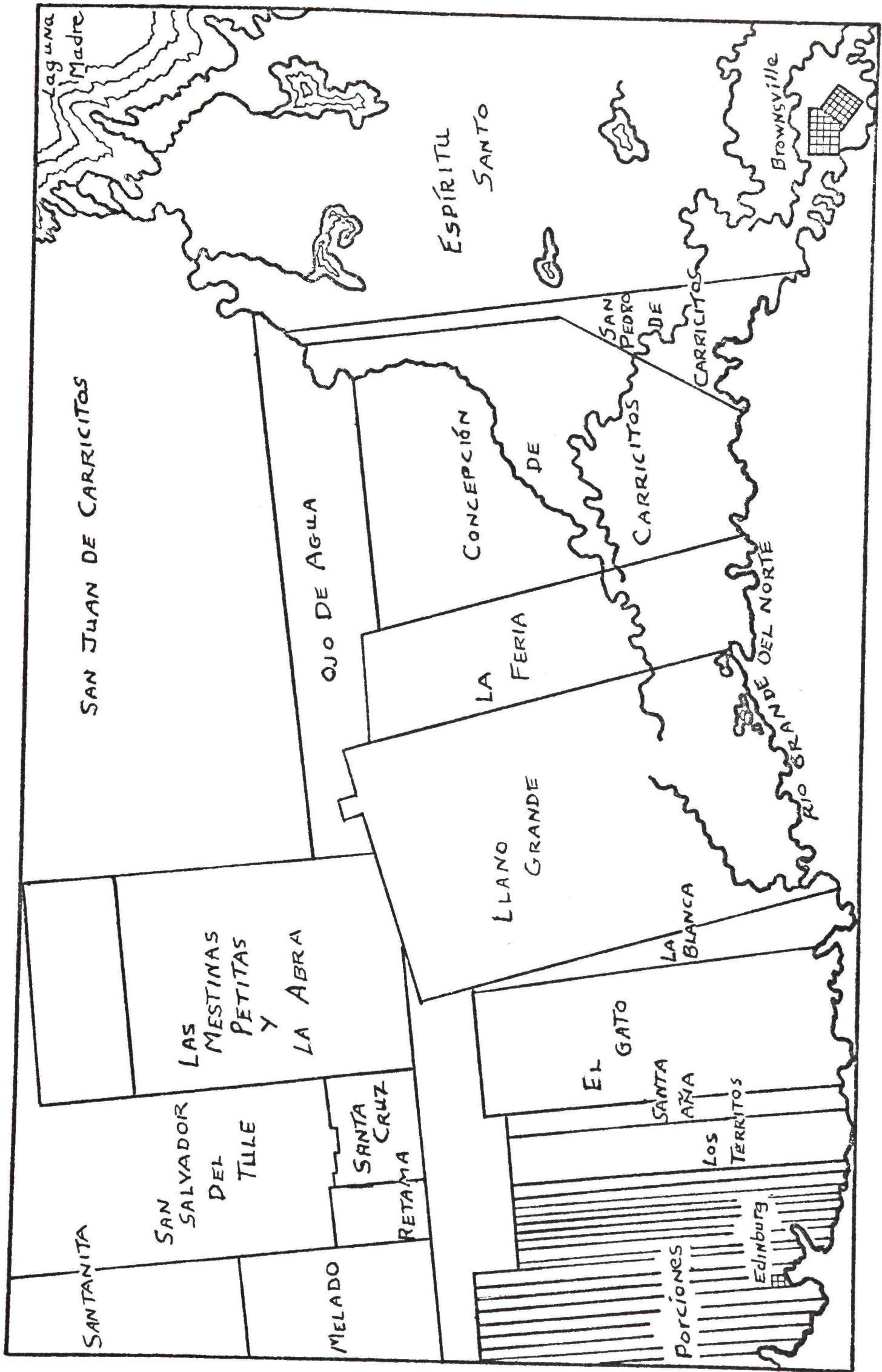


Fig. 2. Lower Rio Grande Grants and Porciones.

the landowners seldom alienated the land from themselves or their heirs.<sup>5</sup> This, in addition to the certainty that farming as practiced then in the South and the Middle West was impossible in the Valley, discouraged farmers from entering the region. In substance, the Lower Rio Grande Valley was a new frontier but without free and fertile lands, the magnet that had attracted settlers to eastern woodland frontiers. The first Anglos to settle in the Valley were mostly merchants and professional men who generally made little impact upon the region or its economy. The basic industry was ranching, and, for a century, it had been in the hands of the same families who were skeptical of new methods and apprehensive of newcomers.<sup>6</sup>

When Wells reached the locale, only a few small towns existed in the entire Lower Rio Grande Valley. Brownsville, the largest of the villages in the Texas portion in 1878, had a population of 4,938.<sup>7</sup> Directly across the Rio Grande lay Matamoros, an important commercial center of northeastern Mexico. Fifty miles to the west, the tiny Texas hamlet of Edinburg struggled for coexistence with Reynosa, across the

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<sup>5</sup>James Heaven Thompson, "A Nineteenth Century History of Cameron County, Texas" (unpublished Master's thesis, The University of Texas, Austin, May, 1965), pp. 24-25.

<sup>6</sup>W. H. Chatfield, The Twin Cities of the Border and the Country of the Lower Rio Grande (New Orleans: E. P. Brandao, 1893), pp. 37-39.

<sup>7</sup>U. S. Bureau of the Census, Population of the United States at the Tenth Census: 1880. Summary Tables (Washington: U. S. Government Printing Office, 1883), p. 342.

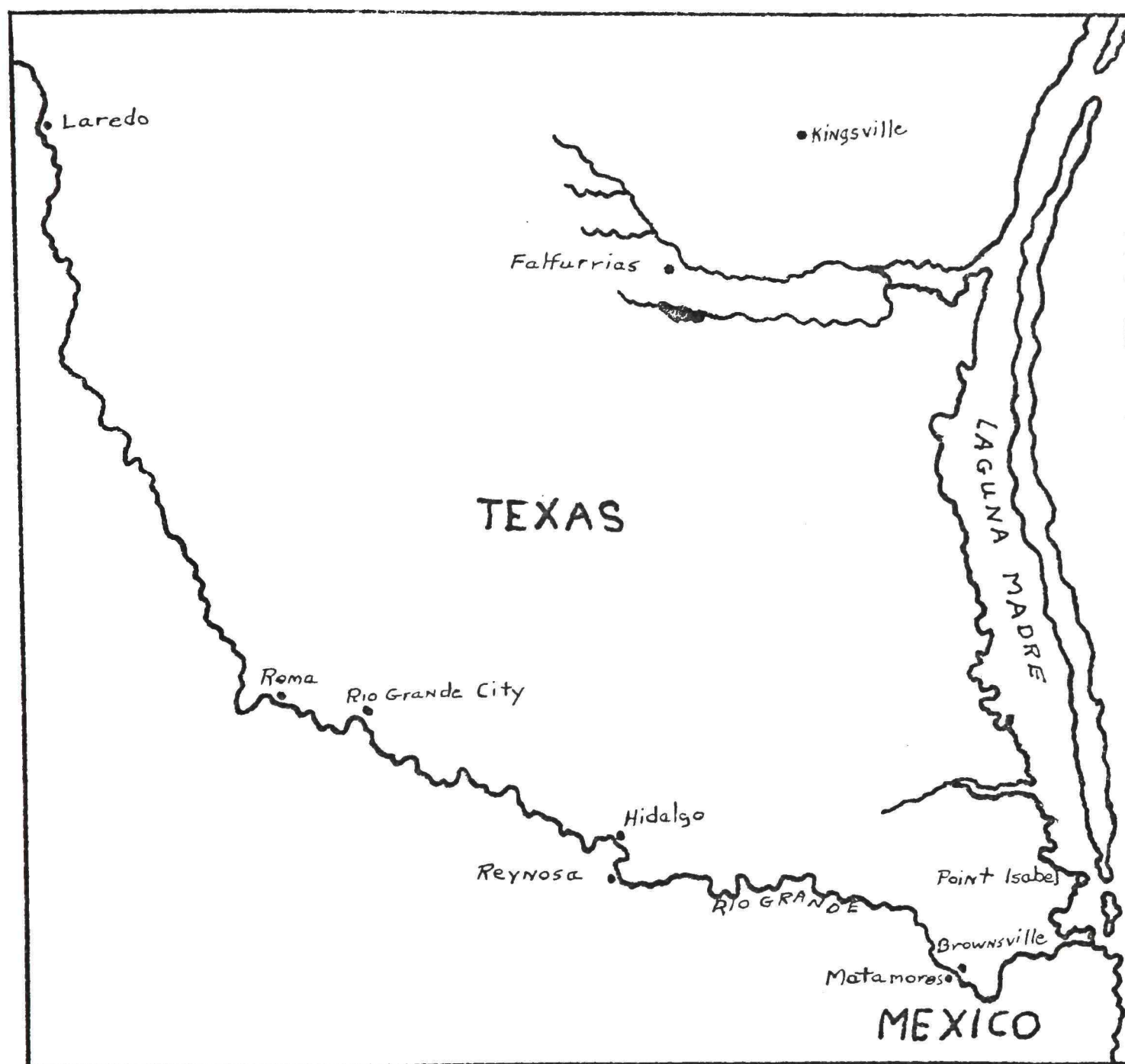


Fig. 3. The Trans-Nueces Region, 1878



river. Forty miles further west was Rio Grande City, and fifteen miles beyond lay the small town of Roma. Point Isabel, whose fortunes waxed and waned with the coastal shipping trade, was the only other important town. The closest, significant settlement north of Brownsville was Corpus Christi, a non-stop stagecoach ride of thirty-six hours over 150 miles of crude road.<sup>8</sup> Travel between Brownsville and other points was by river boat--when enough water flowed in the Rio Grande; otherwise, it was by wagon or stagecoach.

The isolation resulting from great distances and poor transportation facilities retarded the political and social evolution of the Valley. A spirit of conservatism encouraged the rural border community to prolong an ancient patriarchal form of social control. For Mexican-Texans, in particular, nineteenth century Mexican frontier customs, beliefs, and traditions regulated all social relationships. A special and favored few made all important decisions.

Because Wells' political ascendancy was based, in part, upon the pastoral disposition of the Mexican-Texans, the domination of these simple, rural people by a small and powerful authoritarian elite is worthy of some examination. At the apex of the social hierarchy was the large landowner who lived much as a feudal lord,"master not only of the land

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<sup>8</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

which he possessed but of the peones who worked the soil."<sup>9</sup> He insisted on having the title "Don" prefixed to his name, and he wanted outward gestures of deference from everyone. Living in a fortress-like home, built to provide protection, he was expected, in time of danger, to be the community protector. At other times, he was advisor and counsellor to the peones in all matters ranging from politics to affairs of the heart, and often he was the arbiter who settled personal disputes and inflicted punishment.<sup>10</sup>

Below the landowner, but above the peón, was the vaquero or cowboy. The scions of criollo and mestizo rancheros (small landholders), the vaqueros, at their own ranchos, seldom had enough to do to occupy their time. They enjoyed wandering over the open range on their horses, exercising their freedom from conventional restraints. Characteristically hating law and discipline, they were the independent products of the frontier. And to them, innovations and newcomers were anathema.<sup>11</sup> Often providing the principal manpower for border revolutionary armies, the cowboys were always difficult for the large ranch owners and politicians to control.

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<sup>9</sup>Jovita Gonzalez, "Social Life in Cameron, Starr and Zapata Counties" (unpublished Master's thesis, The University of Texas, 1930), p. 48.

<sup>10</sup>Ibid., p. 48-49.

<sup>11</sup>Ibid., p. 49.

The peón occupied a social stratum far below that of the vaquero. To the cowboy, the ranchowner was simply the possessor of cows; to the peón, he was amo (master). The vaquero could aspire to become a landowner, but for the peón such an aspiration was considered ludicrous.

Generically of mestizo (half-caste European and Indian) ancestry, the peón was typically an immigrant from Mexico. By training and heritage, he was submissive to his amo who kept him employed in menial tasks throughout his entire life. His family usually supplied the servants of the ruling castes.<sup>12</sup>

An agreement between the amo and the peón was customary. The amo was expected to furnish living quarters, some food, and a traditional wage of "cuatro reales y la comida o seis reales y comen de ellos" (fifty cents and meals or seventy-five cents and furnish your own). Since the compensation was rarely sufficient for a family, the peón hovered ever near the brink of financial disaster. In time of need, particularly in sickness or death, he was dependent upon the master, and the master usually responded with a loan. The obligation had to be discharged before the peón could leave the amo's employment, and, of course, the landlord only infrequently permitted this to happen. Many hacendados (large land owners) compounded the peón's in-

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<sup>12</sup>Ibid.



debtedness by providing a general store on the ranch which dispensed, on credit and at inflated prices, everything needed from patent medicine to caskets. Shopping elsewhere was discouraged. The food debt of the peón, which also accumulated from year to year, added to his difficulty. And to compound his misery, this unskilled worker often inherited the debts of his father. The economic system, in effect, bound the majority of the peones, who were submissive, to the land and to the will of the landowner.<sup>13</sup>

The peonage system retarded the development of democratic politics. Realizing the hopelessness of his situation, the peón typically adopted a stoic indifference to things social or political, considering these matters beyond the scope of his everyday existence. His subservience was not considered wrong, vicious, or unfair; it was the way his existence had always been. Neither he nor the amo knew of a better plan. Having always consulted his amo for guidance whenever any affair of importance impended, he believed that such a relationship was the natural consequence of their stations in life. The political implications of the system could not have been overlooked by James Wells. His task was always to sway the landowners and leading men.

If a special and favored few made all important decisions among rural folk in the Valley, such was not the case

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<sup>13</sup>Ibid., p. 50.

among urbanites. City people baffled James Wells; they were fractious, difficult to organize, and impossible to dominate.

Social stratification in the city was about as distinct as was rural classification; yet, unlike in the countryside, no single grouping clearly dominated the majority. Furthermore, the composition of the urban population was more cosmopolitan in that a mixture of Europeans, Mexican-Texans, and Anglo-Americans directed city affairs. Instead of social or economic conditions, certain issues, not uncommon in small towns, divided urbanites into partisan associations based upon familial or emotional factors.

In 1878, Brownsville seethed with factional conflict. A disunited town, its disharmony dated from its founding and was manifested in "the rise of political factions that" had "never been reconciled."<sup>14</sup> Growing out of a dispute over title to the Brownsville townsite, by the time Wells arrived, the discord had evolved into a pugnacity and cacophony that profoundly affected his subsequent political associations and actions.

Ownership of the land directly across the Rio Grande from Matamoros had long been a matter of contention. Originally a portion of the Espíritu Santo grant, the tract was of no particular value until 1822 when it was claimed by Matamoros as a part of its ejidos (common grazing lands).

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<sup>14</sup>Thompson, "A Nineteenth Century History of Cameron County, Texas," p. 37.

Since indemnification for lands incorporated into ejidos was required by Mexican law, Matamoros began negotiations with the owner, Doña Francisca Cavazos, but the principals disagreed on the amount of compensation. Meanwhile, the city took possession of the land in 1822 without payment and leased it in labores to farmers.<sup>15</sup> Before a final settlement with Doña Francisca was concluded, the land was claimed by Texas.

Years later, during the Mexican War, Charles Stillman, an American merchant residing in Matamoros, anticipating the need for a town on the north bank of the Rio Grande, purchased the possessory rights of several of the labor lease holders. To clear title, he also acquired the option of one David Snively who had filed a headright claim with the State of Texas to the same land. Then, having George Lyons locate and layout a townsite, he christened it Brownsville.<sup>16</sup>

The new town had a troubled beginning. In association with Samuel A. Belden and Jacob Mussina, Stillman organized, in 1849, the Brownsville Town Company. And, within a short time, in an auspicious beginning, the company sold more than

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<sup>15</sup>B. O. Hicks (Brownsville) to C. E. Sans (Boston), n.d. [1886], Wells Papers.

<sup>16</sup>E. Basse, A Brief Description of Title to Lands upon Which the City of Brownsville Is Situated (n.p., n.d.), p. 5 (photocopy, Barker History Center, University of Texas Library).



two thousand lots.<sup>17</sup> But, in late 1849, asserting that Matamoros' failure to pay for the land voided the Stillman title, the heirs of Doña Francisca Cavazos, Rafael García and wife, provoked a title fight by bringing suit to recover possession and clear title to the land. When the district court ruled for the Garcías, Stillman, to save his investment, purchased the Cavazos title for \$33,000.<sup>18</sup> The incident exasperated many townsmen who realized that had the Garcías refused to sell the property, the titles purchased from the Brownsville Town Company would have been worthless. Property holders were further nettled in 1850 by two more title challenges. First, a group of squatters sought to claim portions of Brownsville by reason of adverse possession (continuous open possession for a specified period). Although the courts eventually ruled against the squatters, lawsuits brought by them kept the validity of the Stillman titles in doubt for years. Compounding confusion over title, the State of Texas granted Brownsville a charter which proclaimed that:

. . . all the right, title and interest of the State of Texas in and to all the land included within said tract, that was owned by the town of Matamoros, on the 19th day of December, 1836, shall be and is hereby relinquished to the corporation of Brownsville, and their successors in office, in trust for the use and benefit of said city, provided this act shall not im-

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<sup>17</sup>Thompson, "A Nineteenth Century History of Cameron County, Texas," p. 33.

<sup>18</sup>Basse, A Brief Description of Titles, p. 5.

pair private rights.<sup>19</sup>

These terms suggest that the ejidos of Matamoros were public and vacant land within Texas as defined by the Boundary Act of December 19, 1836. For this reason and on the basis of its charter rights, the city council moved to confiscate the Brownsville Town Company's ferries to Matamoros and to require validation by the city for all land titles within its limits. However, the move was blocked by Mayor Israel Bigelow, a Stillman associate, who vetoed the council's action, thereby precipitating further controversy. While the Stillman forces coalesced into a political faction to fight the council and while Stillman desperately worked to get the state legislature to rescind the city charter, squatters and other townsmen who had not purchased lots from the Brownsville Town Company united in support of the city council. Then, without the council, Bigelow proceeded to run the city for several months until Stillman was able to persuade the state legislature, in 1851, to revoke the city charter. The city council thereupon retaliated by issuing quit claims to all city lots. But Stillman stymied the council's action by injunction until 1876 when the Supreme Court ruled in favor of his title.<sup>20</sup>

The title question became even more perplexing when it

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<sup>19</sup>Ibid.

<sup>20</sup>Thompson, "A Nineteenth Century History of Cameron County, Texas," p. 35.



was discovered that the Stillman purchase had fewer acres in it than the Garcías had sold. Having inherited the middle portion of the Espíritu Santo grant from her husband, Francisca Cavazos had sold eleven sitios (square leagues) earlier to Captain J. Miguel Paredes, the acreage to be taken from her eleven-league line. The remaining land, believed to be thirteen sitios, was the tract acquired by Stillman. Of the opinion that his purchase included the sites of Fort Brown and Brownsville, Stillman found when he surveyed the property that his purchase contained fewer acres than was assumed. The eleven-league line placed portions of Fort Brown and Brownsville in the Paredes Purchase. It then behooved Stillman to oppose a final division of the entire Espíritu Santo tract in order to delay an adverse decision to himself. He hoped to sell to the government all of the military reservation before Paredes could get title to his portion.<sup>21</sup>

In 1876, after he had defeated all adverse claimants except Captain Paredes, Charles Stillman moved to sell Fort Brown to the United States. Paredes employed Stephen Powers to prevent Congress from compensating Stillman before title to the land was finally determined. To assist him, Powers brought in C. E. Sans of Boston, Senator Samuel Bell Maxey of Texas, and James B. Wells, Jr.<sup>22</sup>

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<sup>21</sup>Hicks to Sans, n.d., Wells Papers.

<sup>22</sup>Ibid.



Although Stillman ultimately won title to Brownsville, the years of litigation engendered animosity and bitterness that endured long afterward. Mayor Bigelow's arbitrary rule in 1850 especially polarized the citizenry. Those who supported the city's claims formed the Blue Party; those who supported the Stillman interests became the Red Party. These simple names were selected to enable illiterate Mexican-Texans to identify the opposing factions.<sup>23</sup> By 1878, when James Wells arrived in Brownsville, Valley Democrats had taken the Blue appellation, and the Red faction had affiliated with the Republican Party. But local issues remained of greater importance in determining party membership than national questions.

The lack of political unity in Brownsville was matched by its lack of cultural homogeneity. While Anglo-Americans were a significant element of the populace as were a large group of Irish immigrants, the majority of the inhabitants were Mexican-Texans. Yet, relatively few Mexican-Texans held positions of economic or social importance. The merchants were preponderantly Anglo-American, French, Irish, British, and Spanish. And, the Catholic orders were French rather than of Spanish-Mexican origin.<sup>24</sup> Missionary priests of the Order of Mary Immaculate, a French brotherhood, led

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<sup>23</sup> Chatfield, The Twin Cities of the Border, p. 14.

<sup>24</sup> Thompson, "A Nineteenth Century History of Cameron County, Texas," p. 75.

into the area in 1852 by Bishop Odin, predominated in Cameron County and contributed palpably to a French mein.

Brownsville in 1878 was also an ingrown society. European and Anglo-American families tended to intermarry, making kinships a force majeure in determining factional association. Furthermore, the insulated nature of the society and its numerical diminutiveness tended to accentuate personal differences and transform private disagreements into political issues.

Because of their influence on James Wells, several people of the Lower Rio Grande Valley merit special attention. John Roach Butler, born in Germantown, Pennsylvania, in 1795, was one of the first American settlers to move into Cameron County. He had married Pauline Victorie Leuba, a native of France, and the couple had nine children before coming to the Valley. In 1850, Butler, who then had with him four children, was a successful merchant and minor politician at Point Isabel. His oldest daughter, Pauline Victorie, married one Frederick Impey and lived for a time in Louisiana, but in 1855, she was in Brownsville. A widow with two daughters, she married, that year, Stephen Powers. The daughters, soon four, of Stephen and Pauline Victorie Powers married Benjamin O. Hicks, Dr. F. J. Combe, James L. Landrum, and James A. Browne, all of whom became political and business associates of James B. Wells.<sup>25</sup>

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<sup>25</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

John Butler's youngest daughter, Emma Henrietta, married druggist Joseph Kleiber, an Alsatian descendant of Jean Baptiste Kléber, Napoleon's last commander in Egypt. The Kleibers had one son and four daughters, the oldest of whom married John A. Vivier. The son, John I., married a daughter of H. E. Woodhouse, an associate of Charles Stillman; and the second daughter, Pauline Josephine, became the bride of James B. Wells, Jr., in 1880.<sup>26</sup>

Coming to the Valley from Ireland during the Mexican War, James G. Browne was a powerful ally of Stephen Powers. Prospering as a contractor, he became one of the regions' largest landowners, rendering 113,000 acres for the 1892 Cameron County tax rolls.<sup>27</sup> A staunch supporter of the Democratic Party, Browne served at various times as sheriff, tax assessor-collector, and county commissioner. His oldest son, James A., who married Agnes A. Powers, also served as sheriff and as tax assessor-collector. Another son, Mathew, served as sheriff.<sup>28</sup> The Brownes had a strong following in Cameron County, and their support enhanced Stephen Powers' and James Wells' political influence.

Business association was almost as important as consanguinity in the formation of Brownsville factions. Charles Stillman allied himself with the more successful

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<sup>26</sup>Ibid.

<sup>27</sup>Chatfield, The Twin Cities of the Border, p. 29.

<sup>28</sup>Robert C. Wells to Baulch, interview, July 9, 1973.



merchants of Brownsville, the most influential being Israel Bigelow, Elisha Basse, Samuel A. Belden, R. H. Hord, Mifflin Kenedy, Richard King, John Young, and H. E. Woodhouse. After 1882, a combination of the Stillman and Butler-Browne-Powers factions, formed through the efforts of James Wells, dominated Brownsville politics.

Adding to the international flavor of Brownsville were several outstanding Spanish merchants. José San Román, the leading figure among this group, had been another of the legion of Stillman partners. Moving from Matamoros to Brownsville sometime before 1860, he soon established himself as the most eminent banker and merchant of the region. An associate and clerk of San Román, Simón Celaya, retired in 1865 with a modest fortune and thereafter served for many years as Spanish consul in Brownsville. In the 1870's, Celaya became builder and manager of the Rio Grande Railroad, a short line that connected Point Isabel and Brownsville.<sup>29</sup> A third prominent Spanish businessman, Juan G. Fernández, was a leading banker and one of the chief financiers in the economic development of the Lower Rio Grande Valley.

After their homes in the Tyrol had been incorporated into the Austro-Hungarian Empire, many Italians moved to the Rio Grande Valley. Among these was Albert Champion, who established himself as a grocer in Point Isabel. Champion was

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<sup>29</sup>Thompson, "A Nineteenth Century History of Cameron County, Texas," p. 84.

followed there before 1860 by his brothers Peter, Nicolas, and Joseph, all of whom prospered. Although the Champions led the Cameron County Republican opposition to the Democrats, a second generation Champion, Charles, joined Wells, in 1886, as developer of the town of Point Isabel.<sup>30</sup>

Despite its international composition, Brownsville society was clannish, reserved, and segregated. There is little evidence that marriage between Mexican-Texans and persons of European or United States derivation was other than infrequent, albeit such unions were quite common in other Rio Grande communities.

The political leader in the region west of the Nueces River was Stephen Powers. Born of Irish-Catholic parents in Damariscotta, Maine, on June 1, 1814, Powers grew to manhood in Onondaga County, New York, where at age fifteen he was teaching school. In 1835, he was admitted to practice before the bar at Buffalo, New York. Four years later, he was appointed United States consul at Basel, Switzerland, where, in addition, he served as chargé d'affaires for several small German states. In 1839, in company with Lewis Cass, he represented the United States at the coronation of Queen Victoria.<sup>31</sup>

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<sup>30</sup>Ibid., pp. 83 - 84.

<sup>31</sup>Walter Prescott Webb and H. Bailey Carroll (eds.), The Handbook of Texas (2 vols.; Austin: Texas State Historical Association, 1952), II, p. 404.

Upon his return to the United States in 1842, Powers practiced law in Buffalo until the outbreak of war with Mexico. Commissioned a first lieutenant in the Tenth (regular) Infantry Regiment and assigned to duty on General Zachary Taylor's staff in northern Mexico, he served in Matamoros as a member of the Military Commission for the Government of Occupied Territory until 1848 when he left the army and returned to New York to canvass for Lewis Cass in his unsuccessful bid for the presidency. Later that year he returned to the Valley and became one of the first to settle in the new town of Brownsville. He was named postmaster on April 9, 1849, holding the post until August 4, 1851. In 1852, he was elected Cameron County judge, and on March 19, 1853, he was appointed Collector of Customs for the Brazos Santiago district. He further identified himself with the border area in 1855 when he married Pauline Victorie Impey. Powers was mayor of Brownsville during the Cortina troubles, and he served a second time as county judge from August, 1858, until November 18, 1861, when he was succeeded by Israel Bigelow. During the Civil War, he was judge of the Twelfth Judicial District of Texas. He was elected to the state House of Representatives in 1873 and to the state Senate in 1880.<sup>32</sup>

Powers was a cultivated man, quiet of manner, and

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<sup>32</sup>Ibid.



equally astute in politics or law. He was, personally, a brilliant introvert, preferring to keep his own counsel without his closest friends knowing how or why he achieved results.<sup>33</sup> But his actions gave eloquent testimony of his sagacity; under his direction, Richard King and Mifflin Kenedy pieced together their enormous estates without ever facing serious litigation over title. And, his political strategy kept King and Kenedy almost always on the winning side.

During the era of turmoil immediately after the Civil War, Stephen Powers' political acumen was almost as important to his clients as his legal skill. Powers and most of his clients were staunch Democrats, and he, at one time, numbered among his personal friends Millard Fillmore, Martin Van Buren, Lewis Cass, James Polk, Franklin Pierce, Sam Houston, and Thomas Rusk, all of whom, with the exception of Fillmore, had been high in the councils of the Democratic Party.<sup>34</sup> In the interests of his clients, he organized the Democratic Party in the Valley, creating machinery capable of controlling the politics of South Texas, a region long noted for its political turbulence and domination by the Republican Party. As a means of achieving this goal, he originated, in 1873, the Blue Club of Brownsville.

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<sup>33</sup>Caller Times (Corpus Christi), July 12, 1953.

<sup>34</sup>Tom Lea, The King Ranch (Boston: Little, Brown and Company, 1957), p. 139.

By 1878, Stephen Powers had arrived at an age when he desired relief from his rigorous work. The arduous travel to attend court in frontier villages, the austere living conditions throughout the area, and the death that year of his young associate, Nestor Maxan, led to his decision to bring in a younger man to carry on his work.

### CHAPTER III

#### EL ABOTADO PRIMO, 1878-1898

Nestor Maxan was a handsome Louisiana French creole who possessed all those traits romantically associated with fiery, young ante-bellum Southern men. Dashing, chivalrous, sensitive, and swift to anger, he met his approximation, General Miguel de la Peña of the Mexican army, in February, 1878, and the impetuous pair were soon embroiled in a quarrel over the attentions of a Fort Brown officer's pretty wife. The affray terminated in "an affair of honor" in which De la Peña dispatched Maxan with a single shot.<sup>1</sup>

Initiating a search for another partner, Stephen Powers tendered an invitation to an Austin attorney, E. J. Davis. Desirous of an alliance but hesitant to move to Brownsville because of depressed economic conditions there, Davis accepted provided he would not have to leave Austin.<sup>2</sup> But Powers wanted a Brownsville associate, so he offered the job to the twenty-eight-year-old Wells.<sup>3</sup> Delighted with

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<sup>1</sup>Brownsville Democrat, March 3, 1878.

<sup>2</sup>E. J. Davis to Stephen Powers, February 11, 1898, Wells Papers.

<sup>3</sup>Ibid., February 15, 1878, Wells Papers.





Fig. 4. James  
B. Wells, Jr.,  
ca. 1878.



Fig. 5. James G.  
Browne.

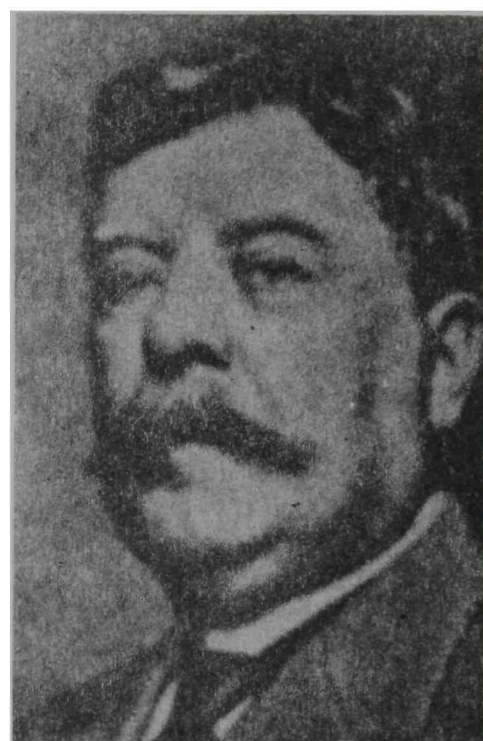


Fig. 6. James O.  
Luby.



Fig. 7. Elizabeth Street,  
Brownsville.

the selection, one of his clients chortled, "I am glad to here [sic] you have Mr. Wells as a pardner [sic]. I herd [sic] he knew more about Tex [as] titles probably than any other young attorney in the state."<sup>4</sup>

Soon after his arrival in Brownsville, Wells had to return to Lamar for a few days. His mother died in September, and he had the sad duty of bidding her farewell. Lydia Ann left to her children an estate that included Durham's Island and 2,952 acres of land in Calhoun and Galveston counties. Turning over the administration of the estate to his father, in late September, a sorrowing James Wells returned to Brownsville.<sup>5</sup> Only with great pain could he thereafter reflect on events at Lamar.<sup>6</sup>

James Wells began his new job at a time when litigation threatened to displace scores of the beneficiaries of the original Valley settlers. Suits had been instituted by speculators to force holders of Spanish and Mexican land grants to prove title to or abandon their lands. Many lawfully acquired grants had, for one reason or another, remained unrecorded, or documents attesting to ownership had been mislaid or destroyed. Speculators saw an opportunity to locate Republic and State issued Land Certificates on

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<sup>4</sup>Mrs. M. J. Hord to Powers, June 20, 1878, Wells Papers.

<sup>5</sup>Estate of J. B. Wells, Sr., 51-page manuscript in the handwriting of J. B. Wells, Jr., May 4, 1880, Wells Papers.

<sup>6</sup>Robert C. Wells to Baulch, interview, July 9, 1973.



these lands.

In addition, there was confusion over title to grants obtained after March 2, 1836. Until Texas officially established by statute its boundary as the center of the Rio Grande on December 19, 1836, the State of Tamaulipas, assuming the boundary to be the Nueces River, had continued to grant lands between the two rivers. The Treaty of Guadalupe-Hidalgo, rather than clarifying legal ownership, further complicated the already complex land title situation.

When in 1848 its sovereignty over the land between the Nueces River and the Rio Grande was assured, the Texas legislature appointed a special committee to investigate Spanish and Mexican land titles. The committee, after a thorough inquiry, recommended that the legislature approve by statute all titles where documentary evidence existed. Accordingly, an act of 1852 embodied the proposal, but numerous claims, both perfect and imperfect, were not recognized because evidence had been lost or had never been received.<sup>7</sup>

Years later, speculators, holding Land Certificates to hundreds of thousands of acres, sought the annulment of unrecognized Spanish and Mexican grants. In pursuance of their objective, they were able, in 1876, to secure a constitutional provision which abrogated certain grants without breaching conditions stipulated in the Treaty of Guadalupe-

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<sup>7</sup>H. P. N. Gammel (comp.), The Laws of Texas, 1822-1897 (10 vols.; Austin: The Gammel Book Company, 1898), III, pp. 941-949.



Hidalgo. The proviso prohibited the introduction of new evidence after 1880 into county or state deed records and required that no claim issued prior to 1835 should be valid unless duly recorded in the county where such land was located or in the General Land Office.<sup>8</sup> Resisted, in the main, by large landholders, including Richard King and Mifflin Kenedy who had acquired some of the questionable titles, the assault upon Valley titles brought Stephen Powers into the conflict as the attorney for the land holders, and many of the suits were before the courts when James Wells became his Brownsville partner.

During the first term of the district court in Brownsville after Wells' arrival, Powers was forced to be away, and opposing counsel, sensing an advantage, moved to bring twenty-one of the land cases to trial. Not yet a master of dilatory tactics, Wells was unable to obtain continuances. However, the absence of the veteran Powers proved to be no real advantage for his adversaries. Assisted by James A. Browne, Wells won twenty of the cases and got one dismissed.<sup>9</sup>

The impact of Wells' first victories was felt far beyond the confines of Cameron County. On the basis of his arguments, Texas courts subsequently ruled that title rights

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<sup>8</sup>Edgar H. Eggert, Jr., "Influence of Spanish and Mexican Grants on Texas Property Rights" (unpublished Master's thesis, Texas A and I University, 1953), p. 34.

<sup>9</sup>Davenport, "Life of James B. Wells," Davenport Papers.

to grants recorded in the archives of Mexican cities and not turned over to the Texas land office were not necessarily voided by the 1876 constitution. Title to land granted before 1835 was not defective simply because it was not recorded in Texas.<sup>10</sup> Furthermore, by ruling that both the Republic of Texas and Mexico held joint sovereignty over the land between the Nueces River and the Rio Grande between March 2, 1836, and December 19, 1836, the courts upheld the validity of prior grants.<sup>11</sup>

Winning these important land cases made Wells instantly popular with the native population of the Valley. Whenever they were threatened with litigation or became involved in any way with the government they so vaguely understood, the rancheros (small ranchers) thereafter normally turned to Wells for advice and help. Rarely refusing his services regardless of how trivial the matter, Wells assumed the mantle of defensor de la raza, a role compatible with his Jeffersonian philosophy. Over the years, often defending poor Mexican-Texans against petty officials who used their authority unjustly, he knew well the law and used it to his advantage. The following letter to Jesse Dennett, an Edinburg justice of the peace, is illustrative. Dennett fined a peón who then turned to his amo for help. Wells, as

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<sup>10</sup>Eggert, "Influence of Spanish and Mexican Grants on Texas Property Rights," p. 34.

<sup>11</sup>Trevino v. State of Texas, 13 Texas 630 (1885).



the defendant's attorney, bluntly challenged the judge's decision.

Don Vicente Cardenas is here for advice in the matter of the Sal del Rey trouble which came before your court. He informs us that his cartman was tried in your court under Article 687 of the Penal Code and that a final judgment was entered by you fining the man \$1.00 and costs. If you will examine the article of the code above referred to you will see that the penalty imposed in such cases is a fine not exceeding one thousand dollars. Now if you will turn to Article 76 of the Code of Criminal Procedure you will see that the jurisdiction of the J. P. courts extends to such cases only in which the punishment is by fine only and where the maximum of such fine may not exceed two hundred dollars. As the fine imposed under art. 687, under which the man was tried, may be \$1,000.00, you will see at once that you had no jurisdiction to try the case and consequently your judgment is void. The judgment being void, it is of no force to collect the fine or costs, or to imprison the defendant in default of payment of same. It is an absolute nullity, and for that reason and for no other we have advised Don Vicente not to allow his man to pay the fine or costs. Of course we know your own good judgment has no effect in law or fact and that the attempted enforcement of the judgment would be false imprisonment. With high regards to yourself and inquiring friends. . . ."<sup>12</sup>

Such oppugnancy did not set well with local officials and earned for Wells the enmity of a host of unimportant, adventuring office seekers such as Dennett. On the other hand, Wells' influence with the Mexican-Texans grew correspondingly. He became el abogado primo (the superior counsellor) of the Lower Rio Grande.

Practicing law on the frontier was an exciting occu-

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<sup>12</sup>J. B. Wells to Jesse Dennett, July 19, 1889, Wells Papers.



pation. There was plenty of time for study, for politics, for diversion, or for dissipation, depending upon inclination. And moving from place to place with the district court, rooming in whatever accommodations he could find, the frontier attorney was seldom detained long enough in one place to become weary of the people or they of him.

In the early years of Wells' sojourn in the Valley, only Brownsville, Corpus Christi, Edinburg, and Rio Grande City existed as seats of justice, and, of these, Rio Grande City was the favorite of all lawyers because accommodations there were too primitive to accommodate their wives. Eating, drinking, and rooming together day and night, the attorneys developed a familiarity and camaraderie that resulted for some in lasting friendships and for others in enduring contemptuousness. In close proximity, they were able to appraise each other's qualifications and to adjudge fitness for holding public office. As a consequence, their subsequent political contests infrequently became internecine; each held doggedly to his own conviction of the intrinsic worthiness of opposing counsel to safeguard the public trust and was not above violence when he felt it was in the interest of the general public.

As he traveled about the Lower Rio Grande Valley, Wells' personality opened for himself many doors. It was difficult not to like the jolly youth whose good humor, air of controlled exuberance, and stock of good stories always

meant that the poker table would be lively that night. Wells utilized his time making the political contacts and building the friendships that would later sustain his thirty years of political leadership.

Of all the people he met in his first year in the Valley, none was more helpful to Wells than A. J. Leo of Edinburg. Guiding his initial essays into the turbulent politics of Hidalgo County, Leo became Wells' padrino (protector) and introduced him to prominent men of all factions. Because of their close relationship, the high esteem enjoyed by Leo was shared by Wells. In addition, Leo's godfather-like personal interest in Wells went beyond professional and political matters. He once advised Wells that he had talked to Father Pitoye about Wells' religious life and that the priest reported "you are a good young man - hope you may become a Catholic but trust in God - and may he bless your future happiness."<sup>13</sup> Leo's concern for Wells deeply influenced the younger man, and when he had committed himself, his loyalty, in return, admitted no conditions.

Throughout the Valley, there were many men like Leo who contributed to Wells' career and power. In Starr County, his confidants were Wash Shely of Rio Grande City and Manuel Guerra of Roma. Although each headed an opposing faction, both were personally attracted to the young lawyer.

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<sup>13</sup>A. J. Leo to J. B. Wells, April 10, 1880, Wells Papers.

Tom Oglesby of La Salle County, Henry Edds of Hebbronville, Archie Parr of Benavides, and R. W. Stayton of Corpus Christi, all leading men in their respective areas, were also close friends. Although his political ascendancy was founded upon such friendships, Wells enjoyed being with people of any station. He met and knew by first name thousands of small ranchers, cowboys, Texas Rangers, waiters, railroadmen, peones, judges, senators, and governors.<sup>14</sup>

The partnership of Powers and Wells proved to be an effective merger of talent. Early in 1879, Powers sold to Wells one-half interest in his library for \$1,000.00; and the transaction seemingly cemented the union.<sup>15</sup> In succeeding months, while Powers devoted himself to his campaigns for state office, Wells assumed more and more of the burden of the law practice and the leadership in local politics. He first attracted political attention when trouble erupted in Starr County in 1879, and John S. Ford and the Rangers turned to him for advice.<sup>16</sup> His first essay into Brownsville affairs and into corporation law came when he drafted the charter of the Rio Grande Frontier and Seaboard Railway Company. His inclusion in the enterprise was evi-

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<sup>14</sup>Caller Times (Corpus Christi), July 12, 1953.

<sup>15</sup>Bill of Sale, Powers to J. B. Wells, January 1, 1879, Wells Papers.

<sup>16</sup>John S. Ford to J. B. Wells, January 6, 1879, Wells Papers.



dence that the leaders of the Lower Rio Grande community held him in high esteem. Wells purchased fifty shares in the unsuccessful venture.<sup>17</sup>

Just as Wells was becoming well established, his father died in March, 1880.<sup>18</sup> Returning once again to Lamar where sad memories abounded, he tried to dispose of almost six thousand acres, the cattle, the old homestead, and the remaining household articles of his parents' estate.<sup>19</sup> But, finding the task too dolorous, he failed to complete the dispersal and returned to the Valley.<sup>20</sup> Four years later, the district court at Rockport enjoined the Wells heirs to make some arrangement for the property.<sup>21</sup>

Following his return to the Rio Grande, Wells began to spend much of his time with the brown-eyed, second daughter of Emma Henrietta Kleiber. Introduced to Pauline Josephine Kleiber shortly after his arrival in Brownsville, he was captivated by her beauty and spontaneous loquacity. Known to her friends as "Tinie," she was vivacious, loving, loyal,

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<sup>17</sup>Articles of Agreement, Rio Grande Frontier and Seaboard Railway Company, January 11, 1879, Wells Papers.

<sup>18</sup>E. J. Windsor (Rockport) to J. B. Wells, April 1, 1880, Wells Papers.

<sup>19</sup>Estate of J. B. Wells, Sr., Documents, May 4, 1880, Wells Papers.

<sup>20</sup>M. W. McRae (Rockport) to J. B. Wells, June 8, 1880, Wells Papers.

<sup>21</sup>C. F. Bailey (Rockport) to J. B. Wells, October 28, 1884, Wells Papers.

impulsive, musically gifted, and devoutly Catholic.<sup>22</sup> And she was strongly attracted to the young attorney. Often seen with him thereafter, attending Mass and promenading in the evenings on Elizabeth Street, the lithesome girl with the tender brown eyes soon conquered the heart of James Wells. He proposed marriage in the spring of 1880.

Conventionality in that day demanded a lengthy betrothal. Pauline and James suitably planned a late December wedding, but pecuniary problems troubled the Kleiber family, making a drawn-out engagement difficult. Pauline's father, Joseph Kleiber, had died in 1877, leaving his family little more than a large house in his estate. Fearful that an interim period before the marriage, with its concomitant dinner parties and dances, would be too much for the strained Kleiber resources, Wells informed Powers that he and "Miss Tinie" would be married earlier, in June, so that he could "make for Mrs. Kleiber and her little ones a home."<sup>23</sup> But worried about the appearance of his apparent disregard for propriety, he asked for Powers' blessing. His anxiety was needless; no one disapproved. In June, marriage vows were exchanged, and Wells moved into the rambling, two-story Kleiber residence on Elizabeth Street. For the remainder of his life, it was his home.

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<sup>22</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>23</sup>J. B. Wells to Powers, May 8, 1880, Wells Papers.

Shortly after the marriage, Tinie prevailed upon her husband to worship with her in the Catholic Church. His baptism came on July 9, 1880. Thereafter, his Catholicism was nominal, and Tinie worried all of her life about his non-too-frequent observance of the sacraments. But Wells lived his faith, unconcerned with overt manifestations.<sup>24</sup>

The newly-united Wells soon were numbered among the Brownsville social elite. At their Elizabeth Street home, a rendezvous for the youthful intelligentsia, a convivial good time was always in the offing as monthly statements, seldom for less than forty dollars, for claret, madeira, sherry, cognac, and tobacco from the shop of Celestine Jagou attest.<sup>25</sup> Among the frequent guests who enjoyed the Wells' cordiality were several Fort Brown officers, including Dr. W. C. Gorgas, James Parker, and Enoch J. Crowder, who later became renowned soldiers. Gorgas, Parker, and Crowder remained close personal friends of the Wells throughout the years.<sup>26</sup>

In 1882, James and Tinie Wells embraced their first child, Zoé Pauline Dana Hastings Wells. Little Zoé was idolized by her father who rarely refused her anything. In 1884, Zoé was joined by James Babbage Wells, III, and, in

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<sup>24</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>25</sup>Bill, "The Bar Room," October 31, 1882, Wells Papers.

<sup>26</sup>Davenport, "Life of James B. Wells," Davenport Papers.



1886, by Joseph Kleiber Wells. To their father, the former was the "Little Judge" and the latter was "White Mousie." In 1898, Robert Carlton Wells ("Carta Wess") completed the family unit. For the children, who were brought up bilingual, it was a happy, stimulating home. Tinie had the major responsibility for their rearing since her husband was continuously traveling about the Valley in connection with his increasingly heavy law practice. A chain of letters and wires kept the lonely father informed of his children's development.<sup>27</sup>

In 1881, while Powers was occupied with his legislative duties and beset by an illness from which he never recovered, the full burden of the law practice fell on Wells.<sup>28</sup> Powers slowly wasted away until he died on February 5, 1882. Forced to rely upon Wells during the long illness, Powers' clients had ample opportunity to judge his legal ability.

By far, the most important of Powers' clients were Richard King and Mifflin Kenedy. For several years, the two ranchers had relied on Powers to obtain title to tracts of land incorporated into their gargantuan holdings. Following

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<sup>27</sup>Tinie to J. B. Wells, June 1, November 16, and November 28, 1886, November 16, 1896, November 9, 1897, and June 18, 1898; John Kleiber to J. B. Wells, May 19, 1889 and June 19, 1898; Jamie to J. B. Wells, n.d., 1897, and October 13, 1898; Joe K. Wells to J. B. Wells, November 23, 1898, Wells Papers.

<sup>28</sup>Tom L. Ogelsby (La Salle County) to J. B. Wells, October 24, 1881; Richard King to J. B. Wells, January 6, 1882, Wells Papers.

Powers' death, both King and Kenedy decided to employ Wells.

South Texas ranchers needed lawyers because securing a clear title to land in the Valley was extremely difficult. Originally granted before 1835 by Spain and by Mexico, the land had been bequeathed by the grantees to their children and assigns, and the heirs had, in turn, conveyed the land to their children and assigns. Only infrequently had the land been divided; it was simply owned en masse by the many beneficiaries, each owner possessing a derecho (a right to the land). After three or four generations, the number of derecho holders to a single tract was often astonishing. Consequently ranchers, as King and Kenedy, scarcely had opportunity to buy the rights of all the owners of a tract at any one purchase. They simply bought from the heirs and assigns who could be found and wished to sell and, later, from the other owners when they decided to sell.<sup>29</sup>

Even though the loss of his old friend and associate, Stephen Powers, was deeply felt by Richard King, he was impressed with Wells' affability and skill and his rapport with the Mexican-Texan people. Believing that Wells could well carry on the business of purchasing derechos, King placed him on a magnificent retainer of \$1,000.00 per year and instructed him to buy all legitimate claims to undivided interests in the King Ranch. In this connection, he was to

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<sup>29</sup>Lea, The King Ranch, pp. 330-332.



examine the titles, ascertain whether any given claim had a legitimate basis, prepare and execute the necessary documents, and then draw on Captain King for the standard derecho price. All just claims were to be purchased, but Wells was not to pay a penny more than the standard price.<sup>30</sup>

Richard King's appearance that wintry morning was as intimidating as his offer was magnanimous. Somewhat awed, Wells accepted employment and inquired how often the Captain desired to have a progress report. "Young man," King replied, "the only thing I want to hear from you is when can I move my fences."<sup>31</sup> The fences moved steadily.

In King's behalf, Wells employed agents throughout the region. His representatives located derecho owners, found out when they needed money, and then informed the lawyer.<sup>32</sup> Infrequently a derecho holder refused to sell, but this did not mean that he benefitted in any way from his ownership. King's use of the land admitted of nothing less than exclusory utilization, "and if any recalcitrant owner of an undivided interest demanded possession, refused to sell, or sought to pasture livestock in accordance with his interest, he was hustled to the Rio Grande by the King 'vaqueros' "

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<sup>30</sup>Harbert Davenport to Robert C. Wells, copy, August 23, 1951, Davenport (H) Collection, Texas State Library, Austin, Texas.

<sup>31</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>32</sup>F. M. Campbell (Agent) to J. B. Wells, April 18, 1886, Wells Papers.



forthwith."<sup>33</sup>

Wells' efforts in behalf of King proved to be mutually beneficial. The attorney gained prestige, as well as a good retainer; the King Ranch never lost, through litigation, one foot of land acquired for it by Wells. The personal relationship between the blunt cattleman and the mannerly lawyer, however, was not always smooth. A conflict over political patronage in 1885 prompted Wells to ask the dying rancher if his services were still desired. King brusquely replied that "when [I desire] your discontinuance [I will] advise you of that fact."<sup>34</sup>

Wells' services to the Kenedy family were similar to those performed for Richard King. But the Kenedys placed themselves completely in Wells' hands, giving him charge of all Kenedy legal matters. They seldom interfered or offered suggestions, although James G. Kenedy was occasionally unable to restrain himself when a derecho seemed to be slipping away. He would exhort Wells to greater efforts, as in 1884 when he urged, "Don't lose sight of our interests in Mestinas, . . . I understand Mrs. Lira has brought suit to recover. Use every means in your power to defeat Mrs. Lira."<sup>35</sup>

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<sup>33</sup>Davenport to Robert C. Wells, August 23, 1951, Davenport (H.) Collection.

<sup>34</sup>Reuben Holbein (King Ranch) to J. B. Wells, February 25, 1885, Wells Papers.

<sup>35</sup>James G. Kenedy to J. B. Wells, March 15, 1884, Wells Papers.

Purchasing derechos kept Wells away from the office much of the time. Realizing that his law office must remain open if it was to survive, Wells in 1883 formed a partnership with Robert B. Rentfro, a witty Brownsville attorney who had been a member of the 1875 Texas Constitutional Convention. Because he was the leader of the Republican Party in Cameron County and was a bona fide director of the Red Club, Rentfro was an unusual choice. And, the combination of the two leaders of the two major Brownsville political factions produced a strained association which did not long last. As a business arrangement, the partnership was a success.

In October, 1883, Wells and Rentfro brought Benjamin O. Hicks into the firm. A son-in-law of Stephen Powers, Hicks was distantly related by marriage to Wells. Associated to practice law, to purchase and sell land, and to run a collection agency, the partners named Hicks as office manager, bookkeeper, and cashier; Wells and Rentfro represented the firm in court. After business expenses were deducted, the partners agreed to divide receipts equally. They also purchased from Hicks, for \$3,000.00, the remainder of Powers' library.<sup>36</sup>

The partnership endured for only one year. In 1884, after Wells had become the campaign manager of W. H. Crain of Cuero, the Democrat nominee for Congress, Rentfro secured

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<sup>36</sup>Agreement, Wells, Rentfro and Hicks, October 1, 1883, Wells Papers.

the Republican nomination for the same position. When Rentfro attempted to use his business connection with Wells for political advantage, the law firm became Wells and Hicks, each partner continuing with the same responsibilities.<sup>37</sup> The arrangement worked well until 1887 when Hicks became fatally ill with throat cancer.

While Wells was ministering to Hicks and endeavoring to find another office man, opposing counsel, again sensing an opportunity, refused to agree to continuances for his cases then before the district court in Rio Grande City. Forced to choose between the welfare of his partner and the interests of his clients, Wells responded to his dilemma by remaining with Hicks while he conducted his cases by mailed instructions to his agents at Rio Grande City.<sup>38</sup> He never forgave the discourtesy, and his subsequent political campaigns against those attorneys often became moral crusades.

Following Hicks' death in November, 1887, Wells employed a series of non-lawyers to operate his office. Of this group, Frank Feuille had the longest tenure. But the arrangement was unsatisfactory; Wells needed a business confederate in the upper portion of the region.

In 1889, Wells entered into a new partnership. While he continued his office in Brownsville, his new associates,

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<sup>37</sup>Hicks to J. B. Wells, October 9, 1884, Wells Papers.

<sup>38</sup>Copies of instructions, Wells Papers.



Robert W. Stayton and Robert J. Kleberg, represented the firm in Corpus Christi and at the King Ranch, respectively. The partnership proved to be significant for it brought together the architects of the economic development of the Valley. In an effort to attract investors, Wells, Stayton, and Kleberg first publicized the advantages of the Rio Grande Valley, and they began the drive to secure a Valley railroad, an endeavor that outlasted their partnership.<sup>39</sup> When Stayton left Corpus Christi in 1893, the partners decided against continuation of the business association. For the next twenty-five years, no other name shared the letterhead on Wells' stationery.

During the first decade of his practice, Wells received ample legal fees and retainers to provide a comfortable living. Yet, he was continually harassed by fiscal problems, for which he was in a large measure to blame. In the 1884 campaign against Rentfro, he discovered that winning politicians must spend great amounts to control the ballot box. He had the resources of the Kings, the Kenedys, and the San Románs behind him, but they were reluctant to invest large sums in purely local squabbling, particularly where they had no interest to protect. Wells, on the other hand, entered almost every contest in the Valley, supporting his choices with all of the funds he could muster or borrow. Often,

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<sup>39</sup>Sketch of R. W. Stayton, Wells Legal Papers, Texas State Library, Austin, Texas.

even though he knew that he would not be repaid, he made loans to people who only promised to support his candidates. During a hot campaign, he even was known to use monies he had budgeted for family sustenance. His ready purse bought an impressive political following, but his personal finances were in a constant state of chaos.

Caring for two families was also a considerable burden; yet, the perennially insolvent lawyer-politician met his responsibilities admirably. Tinie's brother, John Kleiber, was sent to Notre Dame University where he earned Bachelor of Arts and Master of Arts degrees. Then, Wells persuaded him to enter the University of Virginia where he gained a law degree in 1889.<sup>40</sup> Returning to Brownsville in 1890, Kleiber was launched by Wells in a political career as district attorney, an office he held during most of the Wells era. Two younger Kleiber children, Clara and Teresa, were placed in a convent for their education; eventually, they assumed the nun's habit.

A Valley law firm in the 1880's required substantial money reserves just to bear the expense of travel in the interests of clients. With personal resources almost nonexistent after the 1884 campaign, Wells often drew on his partner, B. O. Hicks, for money for necessities. Piqued, Hicks complied but chastized Wells for throwing away good

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<sup>40</sup>Sketch of John I. Kleiber, Wells Legal Papers.

earnings right and left while neglecting payments on his notes and on his home.<sup>41</sup> In a subsequent accounting, he pointed out that he had loaned \$500.00 for travel expenses, had arranged another \$2,000.00 loan of another party's money, had taken up notes on the Wells' home to prevent foreclosure, and had paid a telegram bill for \$60.00.<sup>42</sup> Thus, while demanding that Wells better manage his personal finances, Hicks disclosed the true state of Wells' fiscal standing. But, the Lower Rio Grande political community believed that Wells controlled limitless funds, and he continued to let them believe it.

If a promising land investment came to hand, the lack of assets never discouraged Wells from increasing his liabilities. He was highly optimistic personally and about the Lower Rio Grande region, provided a railway could be enticed into the Valley. In the summer of 1886, he acquired from B. O. Hicks the first of his Valley properties, one-half interest in the Santa Isabel grant, an expanse of sand dunes, shallow bays, and Point Isabel on the eastern edge of Cameron County. No evidence remains to explain where he obtained the purchase price, but he filed a warranty deed

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<sup>41</sup>Hicks to J. B. Wells, May 2, 1884, copy, Wells Papers.

<sup>42</sup>Ibid., January 20, 1886, copy, Wells Papers.



that stipulated that his share of the cost was \$6,250.00.<sup>43</sup> Charles Champion was the co-purchaser. Using the tract as collateral,<sup>44</sup> in August, 1886, Wells gave a lien on his Santa Isabel land to Francis Smith, Caldwell and Company of San Antonio for a loan of \$10,000.00.<sup>45</sup> With the borrowed money, he purchased, from Henrietta King, 6,420 acres of Hidalgo County land.<sup>46</sup> This property, known as the "Allen and Hale" tract, was part of the San Juan de Carricitos grant and contained one-sixth of the Sal del Rey.

The acquisition of the Santa Isabel and San Juan de Carricitos tracts did not satiate Wells' hunger for real estate. Sometime prior to 1889, he made the initial purchase of lands for his Capisallo Ranch which eventually contained fifty thousand acres taken from the Llano Grande, Ojo de Agua, and La Feria grants.<sup>47</sup> Fronting on the Rio Grande for several miles near Santa Maria, the original 2,243 acres was purchased from Don Mariano Treviño for \$3,365.00, one-third in cash, one-third in one year at eight percent interest, and one-third in two years also at eight

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<sup>43</sup>Warranty Deed, Hicks to J. B. Wells, June 15, 1886, Wells Papers.

<sup>44</sup>Francis Smith, Caldwell and Company to J. B. Wells, July 9, 1886, Wells Papers.

<sup>45</sup>Ibid., August 13, 1886, Wells Papers.

<sup>46</sup>Deed, Henrietta King to J. B. Wells, October 19, 1886, Wells Papers.

<sup>47</sup>Statement of Assets and Liabilities, July 31, 1889, Wells Papers.

percent per annum.<sup>48</sup> In addition to the Capisallo Ranch, Wells added, between 1886 and 1889, 7,500 acres from Porcion 66, two miles below Edinburg.<sup>49</sup> This purchase brought his total holdings in the Valley to 113,000 acres; yet, as Hicks had noted, he was having trouble making his house payments.

Ultimately, land speculation did not profit James Wells. A general economic depression and two personal financial crises preceded the building of a railway into the Valley. And by that time, he had forfeited most of his lands.

The first of his serious financial reverses had its genesis in 1887 when the United States Lighthouse Board decided to abandon the lighthouse at Point Isabel. Discontinuance of the light, it was believed, would kill coastal commerce to Point Isabel and consequently ruin Wells and Charles Champion who were endeavoring to develop the site. The problem grew out of an attempt by Wells and Champion to collect rent for the property on which the lighthouse had been constructed. When the partners submitted a bill, the Lighthouse Board offered, instead, to purchase the tract with a clear title.<sup>50</sup> While negotiations to establish a mutually

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<sup>48</sup> Agreement, J. B. Wells to Don Mariano Treviño, January 18, 1889, Wells Papers.

<sup>49</sup> Statement of Assets and Liabilities, July 31, 1889, Wells Papers.

<sup>50</sup> Hermann Schreiber (Point Isabel lighthouse) to J. B. Wells, March 31, 1887, Wells Papers.



acceptable price were underway, strong opposition to maintenance of the light developed in Congress. Warning Wells to make a quick settlement, Warner P. Sutton, a Washington lobbyist and personal friend who had once served as United States consul at Matamoros, advised that he could fix the matter if the owners would sell for a price not to exceed \$5,000.00 and demand no back rents.<sup>51</sup> The figure suggested was still too high, and further bargaining scaled the price downward to \$3,500.00, the lowest figure acceptable to Wells and Champion.<sup>52</sup> But the Lighthouse Board rejected even that offer and announced that the light would be discontinued because the owners declined a fair price.<sup>53</sup>

The threat to remove the lighthouse, which would be a severe blow to the Valley economy, galvanized Brownsville's business community into action. Both friends and enemies of Wells bombarded Senators Richard Coke and John H. Reagan and Representative W. H. Crain with protests of the Board's decision. Their remonstrances soon bore fruit. Crain introduced a bill providing for the retention of the Point Isabel lighthouse. His diligent efforts to pass the bill were rewarded when President Grover Cleveland signed it into law in

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<sup>51</sup>Warner P. Sutton to J. B. Wells, September 26, 1887, Wells Papers.

<sup>52</sup>Sutton to J. B. Wells, n.d. [1888], Wells Papers.

<sup>53</sup>Richard Coke, John H. Reagan, and W. H. Crain to J. J. Cocke and others, April 28, 1888, Wells Papers.



February, 1889.<sup>54</sup>

For the time being, the lighthouse was saved. Nevertheless, final disposition of the matter was delayed for several years. The Lighthouse Board declined to accept title to the site while Francis Smith, Caldwell and Company held a lien on it. The loan company, however, obdurantly refused to release the lien until Wells repaid his loan or, at least, the unpaid interest. Without the purchase money, Wells could do neither. Although Sutton and Crain lobbied with the Lighthouse Board, their efforts were fruitless.<sup>55</sup>

As excitement over the lighthouse matter subsided in 1889, Wells became embroiled in an acrid dispute with the Brownsville City Council. Complaining to Major C. H. Carleton, commander of Fort Brown, Mayor Dimas de Torres charged that Wells, the beef contractor for the fort, was underselling local merchants and refusing to comply with city regulations while selling beef to the civilian public from within the confines of the military reservation. Wells admitted selling his surplus beef to the public and explained that the practice made it possible to sell to the army at a lower cost. Moreover, he noted, Major Carleton and Mayor Torres were among those who had taken advantage of the opportunity to purchase his beef at the lower price. He denied that the

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<sup>54</sup>Thomas Carson (Brownsville) to J. B. Wells, February 27, 1889, Wells Papers.

<sup>55</sup>Sutton to J. B. Wells, February 20, 1894, Wells Papers.

City Council had any jurisdiction over his activities on the military reservation and insisted that he violated neither state nor national laws.<sup>56</sup> Nevertheless, the War Department decided that to support Wells would be poor public relations and issued a preemptory order forbidding such sales.<sup>57</sup> Wells thereupon had his butcher rent a lot near the garrison and continue as before.

The controversy with the City Council, the unsettled lighthouse matter, and fear of an economic depression motivated several creditors in the summer of 1889 to bring suit against Wells in Corpus Christi for the collection of old notes. Having just mortgaged all of his possessions to buy the Capisallo Ranch and unable to meet the payments, Wells frantically tried to raise money by collecting unpaid fees, including a retainer amounting to \$2,000.00 from Mifflin Kenedy.<sup>58</sup> His efforts were partially successful for he survived the crisis without serious loss. But, later that year, his resources still exhausted, he could not meet a \$3,000.00 interest levy on his note to Francis Smith, Caldwell and Company. Finding no alternative, he totaled his assets as a preliminary to declaring bankruptcy. He

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<sup>56</sup>J. B. Wells to Major C. H. Carleton, January 2, 1889, and January 17, 1889, copies, Wells Papers.

<sup>57</sup>Frank Feuille to J. B. Wells, March 8, 1889, Wells Papers.

<sup>58</sup>J. B. Wells to Mifflin Kenedy, July 25, 1889, copy, Wells Papers.

evaluated 113,000 acres of land at \$169,500.00, 700 head of cattle and 30 mares at \$42,900.00, his office, library, homestead, and various agricultural implements at \$10,000.00, and uncollected legal fees at \$10,000.00. In total, he valued his properties at \$232,400.00 and estimated his net worth to be \$197,600.00.<sup>59</sup>

Francis Smith, Caldwell and Company placed Wells' note into the hands of H. P. Drought, a San Antonio associate. Drought threatened to advertise for sale all of Wells' properties unless he promptly paid all interest due.<sup>60</sup> But following a visit to Point Isabel, he was persuaded by Wells that payment for the lighthouse site would be forthcoming if the title to it were released. Also arguing that the value of his other lands would rise rapidly as soon as an imminent railroad from Corpus Christi to Brownsville was completed, Wells induced Drought to loan the money necessary to make the interest payment and to arrange with Francis Smith, Caldwell and Company for the release of the lien of the lighthouse site. Upon his return to San Antonio, Drought secured the release on the lien of Point Isabel, but reconsidering his agreement, decided to keep it until Wells sent him cash and

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<sup>59</sup>Statement of Assets and Liabilities, July 31, 1889, Wells Papers.

<sup>60</sup>H. P. Drought to J. B. Wells, November 9, 1889, Wells Papers.



securities.<sup>61</sup> Drought's failure to keep his promise destroyed Wells' chances of satisfying both his creditors and the Lighthouse Board.

Wells, however, made a temporary settlement with Drought in 1890 when he sold a portion of the Santa Isabel tract to John S. Clearman. Cattle valued at \$8,000.00 were shipped to the Capisallo Ranch; \$1,800.00 was paid to Wells in cash, and \$5,200.00 was deposited with Francis Smith, Caldwell and Company to satisfy interest demands.<sup>62</sup> At about this time, Wells also accepted Colonel E. H. Ropes' offer of \$10,000.00 for his Porcion 66 land near Edinburg which he had valued at \$30,000.00.<sup>63</sup> He thus suffered a severe loss, but the sale of the properties won for him a six-year respite from creditor pressure and enabled him to retain the "Allen and Hale" land, the Capisallo Ranch, and his interest in Point Isabel.

Over the next few years, due to widespread poverty and unemployment, money was scarce in the Valley and legal fees provided only a meager income. Furthermore, due largely to maturing children and to increasing involvement in state politics, Wells continued to have financial difficulties.

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<sup>61</sup>Drought to J. B. Wells, November 22, 1889, Wells Papers.

<sup>62</sup>Contract, J. B. Wells to John S. Clearman, March 18, 1890, Wells Papers.

<sup>63</sup>E. H. Ropes to J. B. Wells, July 19, 1890, Wells Papers.

Maturing into a winsome young woman, Zoë P. D. H. Wells naturally attracted to the Elizabeth Street home many young callers, some of whom were not socially acceptable to her parents. When Zoë, however, obstinately insisted on keeping company with some of the uncouth youths, her provoked parents placed her under strict supervision. Educated at the Convent of Incarnate Word in Brownsville where her aunts Clara and Teresa, now Sisters Saint Paul and Saint Evangelist, could oversee her training, Zoë grew into a refined and artistically gifted young lady.<sup>64</sup> Still, the expense of her education drained family resources. Although Tinie kept a savings fund, even a piano was beyond family means.<sup>65</sup>

As he became increasingly entangled in statewide politics, Wells began to spend many weeks of each year in Austin, Houston, and San Antonio. Furthermore, he continued to be an integral part of the drive to secure a railroad for the Valley, an endeavor that required him to travel to Boston, New York, Chicago, St. Louis, Mexico City, and elsewhere to contact potential financiers. Away from home months at a time, he neglected both his land ventures and his obligation to Francis Smith, Caldwell and Company.

Interest payments to Francis Smith, Caldwell and Com-

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<sup>64</sup>J. B. Wells to Sister Saint Paul, n.d., Wells Papers.

<sup>65</sup>Tinie to J. B. Wells, November 26, 1897, Wells Papers.

pany amounted to ten percent per annum. Additional loans to Wells increased the principal by 1889 to \$30,000.00.<sup>66</sup> Despite the fact that he had almost declared bankruptcy in 1889, the loan company did not press for interest payments during the depression years of the 1890's. Interest was simply added to the principal of the note, when Wells failed to pay, and compounded. By 1896, the principal had grown to almost \$39,000.00, the annual interest assessments totaling more than the combined retainers from the King and Kenedy ranches. Suddenly, that year, Francis Smith, Caldwell and Company demanded at least payment of the interest. Wells, however, was able to raise only \$1,200.00.<sup>67</sup> During the next two years, he was unable to raise any money, even failing to save, for the Kleiber children, some San Jacinto County property that was seized by the sheriff and sold for taxes.<sup>68</sup> In April, 1898, when his total indebtedness had increased to \$50,157.11, the San Antonio creditors demanded either repayment or the land.<sup>69</sup>

The loan company's sudden intransigence was a drastic turnabout from more than a decade of on again-off again

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<sup>66</sup>Drought to J. B. Wells, November 9, 1889, Wells Papers.

<sup>67</sup>Francis Smith, Caldwell and Company to J. B. Wells, November 17, 1897, Wells Papers.

<sup>68</sup>Sheriff's Sale Notice, March 8, 1898, Wells Papers.

<sup>69</sup>Francis Smith, Caldwell and Company to J. B. Wells, April 30, 1898, Wells Papers.



treatment. Wells had paid nothing since 1896; yet, the company had remained quiet. The change in attitude was likely due to the fact that, in 1897, Wells had accepted an appointment as district judge from Governor Charles Culberson, although the salary did not even closely approximate his income from legal fees. The appointment also removed him from his work as a lobbyist. During the 1897 legislative session, he had worked diligently for a bill that would make county scrip legal tender in payment of county taxes. Since Francis Smith, Caldwell and Company had shown unusual interest in the bill, it probably wanted him to return to his practice, to politics, and to the lobby.<sup>70</sup>

During his tenure as a judge, Wells made only a weak attempt to collect loans that he had made over the years.<sup>71</sup> Not realizing enough from his efforts to satisfy his creditors, he turned to Robert J. Kleberg who urged him to plead bankruptcy and then stick to legal business in the future.<sup>72</sup> But, since bankruptcy would have violated his personal code, Wells resigned from the bench in 1898 and returned to his practice and politics.

In 1899, Wells and Francis Smith, Caldwell and

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<sup>70</sup>Ibid., May 4, 1897, Wells Papers.

<sup>71</sup>J. B. Wells to Henry F. Hord, September 16, 1898, Wells Papers.

<sup>72</sup>Robert J. Kleberg to J. B. Wells, June 23, 1899, Wells Papers.

Company worked out a compromise settlement. The debt, now \$51,590.00, was refinanced. Wells agreed to pay the principal sum by June 1, 1909, a payment of \$3,353.35 in 1900, and thereafter nine annual payments of \$3,095.40 on each June 1. He also assigned to the company, as security, a deed of trust for 3,350 acres of the Capisallo Ranch.<sup>73</sup> The final settlement on the original \$30,000.00 loan cost him \$82,801.95, in addition to the interest he had paid over the years.

While he struggled to satisfy his creditor, Wells suffered a personal calamity in 1899. On the eve of his rise to maximum influence and power, his spirit was crushed when his fifteen-year-old son Jamie was fatally injured in a hunting accident. Jamie's dog, "Flash," brushed against the boy's rifle while both were crawling through a fence, and the weapon discharged, the bullet wounding the youth in the head. The lad seemed to be recovering for a few days, but then on January 8, 1899, he died.<sup>74</sup> The shattered father never fully recovered from the tragedy.

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<sup>73</sup> Agreement and Deed of Trust, J. B. Wells to Francis Smith, Caldwell and Company, June, 1899, Wells Papers.

<sup>74</sup> The Daily Herald (Brownsville), January 9, 1899, p. 2.

## CHAPTER IV

### NASCENT DEMOCRACY ON THE RIO GRANDE

The Treaty of Guadalupe-Hidalgo in 1848 finally determined the ownership of the land between the Nueces River and the Rio Grande; it was Texas soil and, thus, a small part of the United States. Shortly after title was established, the region was divided for political and administrative purposes into the counties of Cameron, Hidalgo, Nueces, and Starr.

The Valley population, although very thin and widely scattered in 1848, multiplied during the next three decades from 8,500 to 50,000 inhabitants.<sup>1</sup> In addition to the natural fecundity of the native population, growth was due to the development of the region as a shipping center in the New Orleans to northeast Mexico trade and to the entry of thousands of refugees seeking to escape the strife of Benito Juarez' Mexico.

Automatically acquiring United States citizenship in conformance with the provisions of the Treaty of Guadalupe-Hidalgo, the people of the borderland were expected by most North Americans speedily to overcome their political habitude to function as Jacksonian Democrats. After all, they

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<sup>1</sup>U. S., Bureau of the Census, Statistics of Population of the United States, Tenth Census, 1880 (United States Census Report, 1910), p. 804.



had received the most precious gift that North Americans could bestow—the right to vote. The ballot was the cure-all; it gave everyone in the Republic access to sources of power and justice. Few North Americans could perceive that the people of the Valley only dimly comprehended, if at all, the meaning of democracy. Since manhood suffrage had never been practiced by the vast majority, the vote meant nothing to those who had never had it. Observers of Valley affairs quickly sensed an opportunity for those intelligent enough to direct these pristine democrats in the use of their newly acquired political rights. At hand were hundreds of voters anxious for guidance on how to exercise their franchise.

An able, astute, and experienced politician, Stephen Powers became their first tutor. His aim in establishing party machinery derived from a desire to protect his clients as well as from a personal craving to dominate. Because there were in the Valley many who desired political power for personal gain, Powers perceived that the best way to protect his clients from avaricious officials was by insuring the election of decent men. To obtain his objective, he organized the Democratic Party in the Valley, beginning the project at about the time former Confederate Texans regained their right to vote.

In 1873, James G. Browne and Stephen Powers organized

the famous Blue Club of Cameron County.<sup>2</sup> Ostensibly a social fraternity, it was a mixture of several hundred Mexican-Texans and various others politically in accord with the organizers. The Club assembled periodically for bailes (dances), baseball, comidas de campo (picnics), oraciones (speeches), and, at apropos times, politics. Featuring a noisy brass band which performed at all Club functions, the association, during election campaigns, conducted torchlight parades and nightly serenaded favored public figures.<sup>3</sup>

The noise and hullabaloo of the Blue Club disguised its real function. When the leaders settled upon a slate of candidates for public office, the fiercely loyal membership enthusiastically campaigned for the selections and harassed the opposition. When a victory was achieved, as that of Grover Cleveland in 1884, wild jubilation followed. Homes were decorated, and processions with banners, lanterns, and bands paraded the streets for days until the festivities climaxed with a giant barbecue. Ten thousand jubilant partisans relished the 1884 victory feast.<sup>4</sup> The celebration was a magnificent spectacle in the small town of less than 5,000 population.

Local elections were always in doubt in Brownsville un-

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<sup>2</sup>The Lower Rio Grande (Brownsville, Texas), April 14, 1894.

<sup>3</sup>The Daily Cosmopolitan (Brownsville, Texas), April 15, 1884.

<sup>4</sup>Ibid., November 11, 1884.

til every vote had been counted. The rivalry was so keen that campaigning frequently became cunning maneuvering to "vote" the Mexican-Texan population. A common practice, perfected by the Blue Club, was to gather voter prospects on the eve of the election and serve them food and drink until the polls opened. Cloyed with barbecue, beer, mescal, and whiskey, tipsy electors were then directed toward the ballot box and "voted." This was the "corral" vote.<sup>5</sup> Each voter was given a colored ballot to cast and was rewarded afterward, according to a reliable contemporary, with a small stipend.<sup>6</sup>

In their zeal to win, Blue Club members not infrequently made heroic efforts to get out every conceivable voter. In 1884, the editor of the Daily Cosmopolitan, J. C. Scott, sarcastically observed that Don Francisco Treviño of San José was now "robbing the cradle and resuscitating corpses in his endeavors to get a large Blue majority."<sup>7</sup> To what extent Don Francisco succeeded cannot be verified, but the Blues won with a sizeable majority.

The success of the Brownsville Blue Club brought forth a host of imitators along the lower reaches of the Rio

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<sup>5</sup>Daily Lower Rio Grande (Brownsville, Texas), March 2, 1895.

<sup>6</sup>J. R. Monroe (Rio Grande City) to J. B. Wells, September 30, 1900, Wells Papers.

<sup>7</sup>The Daily Cosmopolitan (Brownsville, Texas), April 24, 1884.



Grande. Each club had its leadership whose sway over the political proclivity of the brotherhood was almost absolute. Each sought to maintain the allegiance of its own adherents and then to win control of the illiterate voters who neither fathomed the issues nor the distinctions between candidates. In Cameron County, the rival Republican Red Club was organized about 1880 by J. L. Haynes, the Collector of Customs for the Brazos Santiago district.

Since election laws in Texas offered no real obstruction to the importation of voters, another source of electors lay just across the Rio Grande. Foreign-born voters were required only to make a declaration of intent to become naturalized citizens of the United States and to establish residence. Living in Texas for one year and in the county for six months prior to an election constituted residence. According to editor Scott, the statute was easily circumvented by the Blue Club which could hire simple Mexican folk, bring them across the Rio Grande six months prior to an election, and have them file a declaration of intent to become citizens.<sup>8</sup> Charging that the Blue Club kept the papers on file and produced them when needed at election time, editor H. A. Maltby, in the Daily Lower Rio Grande, later claimed that Wells could deliver as many "naturalized" votes as he needed or wanted. Maltby called the practice

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<sup>8</sup>Ibid., October 30, 1884.

getting out "the great unnaturalized" vote.<sup>9</sup>

Among the various jefes who directed the political clubs and the several latifundistas who controlled large numbers of rural peones, the paramount factor in choosing a candidate was the aspirant's ability to elicit an overwhelming popular vote. According to one of Wells' colleagues, a great margin of victory was not important in itself, but the reputation of the political leader for always backing a sure winner was of immense concern. Each chieftain commanded the respect and the allegiance of his followers only so long as he was astute enough to do this, for the electorate reacted strongly to bandwagon psychology.<sup>10</sup> An outwitted leader soon lost the support not only of his rank and file but of his retinue as well.

In the Valley, it was quiet work that counted. The successful over-all political leader first gained the confidence of the local leaders by raising funds and personally campaigning for them. If he succeeded, the subalterns then delivered the vote. Wells was admirably suited for this work. His profession kept him moving about the region, and he had behind him the support of several of the largest ranchers. For ten years, he observed the leading men of the

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<sup>9</sup>Daily Lower Rio Grande (Brownsville, Texas), March 2, 1895, and June 19, 1895.

<sup>10</sup>Harbert Davenport to Tarlton Morrow, n.d. [1916], letter fragment, Wells Papers.

Valley, chose those he wanted to hold power, and then left no stone unturned to get them elected.<sup>11</sup>

Another major factor in Valley politics was the influence of the Brazos Santiago district customs service. The political party that controlled the Customs House directed the dispensation of many highly desired, well-paid positions. Since patronage practice forbade the employment of the political opposition, very often a job or the possibility of a job in the Customs House determined a man's politics as well as that of his family and friends.<sup>12</sup> During the major portion of the Powers and Wells era, Customs House patronage, controlled by either a hostile Democrat or the Republicans, was a continual and vexing problem.

The success of the Cameron County Blue Club placed Stephen Powers in the position of being the Valley Democrat whose support was most sought after by aspirants for political office. Hopeful politicians kept him aware of their activities and whereabouts. W. H. Crain of Cuero, for example, informed Powers, in 1873, that he was practicing law in Indianola, Texas, with J. D. Givens.<sup>13</sup> Crain would not need political help for another decade, but it was never too early

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<sup>11</sup>Ibid.

<sup>12</sup>J. L. Haynes (Brownsville Collector) to Louis Henry (Rio Grande City), February 11, 1881, Wells Papers.

<sup>13</sup>W. H. Crain to Powers and Maxan, December 16, 1873, Wells Papers.



to become acquainted with the man who could deliver a sizeable bloc of votes. At the time, Crain had no way of knowing that it would be his law partner who would secure for him the aid of the next jefe of the Valley, James B. Wells. Given's son was Wells' closest friend when the two were in law school.<sup>14</sup>

Documentation for much of Stephen Powers' career is either non-existent or unavailable. Nevertheless, scant evidence does exist to suggest that Powers, if so inclined, could bloc a nomination for office.<sup>15</sup> Apparently, few of the local leaders in Cameron, Hidalgo, and Starr counties would act without his instructions.<sup>16</sup> In Nueces County, Powers was allied with F. E. Macmanus and J. C. Murphy of Corpus Christi and, in Webb County, with Raymond Martin of Laredo.<sup>17</sup>

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<sup>14</sup>Wells, College Notebook, 1874, Wells Brownsville Papers.

<sup>15</sup>Crain to Powers, August 8, 1874, Wells Papers. Powers' personal papers are in the Archives of the University of Texas, Austin, but are not yet available to the researcher. Fortunately, many of his letters pertaining to business and political affairs are among the Wells Papers.

<sup>16</sup>Noah Cox (Rio Grande City) to Powers, May 14, 1877, June 11, and July 22, 1878; W. M. Walton (Austin) to Powers, January 22, 1878; John P. Kelsey (Rio Grande City) to Powers, May 26 and June 4, 1878, Wells Papers.

<sup>17</sup>F. E. Macmanus to Nestor Maxan, November 27, n.d.; Macmanus to Powers, January 15, 1878; R. B. Hubbard to Powers, April 17 and May 3, 1878; J. B. Murphy to Powers, July 22, 1878, Wells Papers.

As the junior associate of Powers, Wells immediately became politically active in the Blue Club. He was assigned in 1878 the task of editing and managing Powers' campaign journal, the Brownsville Democrat, and under the pseudonym, Cicero, he indulged in campaign innuendo, essays on political theory, and editorially supported his favorites, including Senator S. B. Maxey.<sup>18</sup> His efforts were so effective that James G. Browne "considered him quite a success."<sup>19</sup> In addition to his journalistic endeavors, Wells represented Powers in minor regional caucuses.<sup>20</sup>

In 1880, Powers was elected to the Texas Senate. Compelled thereafter to be away from the Valley much of the time either serving in the legislature or endeavoring to interest investors in the Lower Rio Grande Valley, he left most political, as well as legal, matters in Wells' charge. During Powers' absences, Alexander J. Leo of Edinburg, a member of the state legislature, assumed responsibility for Wells' political development. He arranged in 1880 for all Hidalgo County proxies to be assigned to Wells, thereby enhancing his power at the congressional and senatorial nomi-

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<sup>18</sup>S. B. Maxey to J. B. Wells, September 3, 1879; J. C. Beasely (Beeville) to J. B. Wells, May 2, 1884, Wells Papers.

<sup>19</sup>James G. Browne to Powers, September 28, 1878, Wells Papers.

<sup>20</sup>J. B. Wells to Powers, April 1, 1879, Wells Papers.



nating conventions.<sup>21</sup> Until 1883, when he died from a fly bite on the nose, Leo continued to be one of Wells' best and most respected political advisers.<sup>22</sup>

The third counsellor-guide, Senator Samuel Bell Maxey, acted as a leavening or constraining force whenever Wells became politically refractory or intransigent. Maxey was Wells' first Washington contact, and Wells was Maxey's most active devotee in the Valley. In 1880, when Wells adamantly led the opposition to the appointment of Judge I. E. Evans to the Federal district bench because he was a Republican, Maxey had occasion to help mold Wells' political philosophy. Reminding Wells that a Republican president would not nominate a Democrat, Maxey advised that, although a Republican, the shrewd, partisan Evans, "whose integrity has never been questioned," was the best that could be expected.<sup>23</sup> Adopting the maxim that there were acceptable and unacceptable Republicans, Wells thereafter was loath to support an "inferior" Democrat over a "good" man of the opposition.

During the interval between 1880 and Power's death, Wells became the heir apparent to his partner's chieftain-

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<sup>21</sup>Alexander J. Leo to J. B. Wells, June 26, 1880, Wells Papers.

<sup>22</sup>The Daily Cosmopolitan (Brownsville, Texas), November 24, 1883.

<sup>23</sup>Maxey to J. B. Wells, March 29, 1880, Wells Papers.



ship. By 1881, leading men were consulting him about the nominations.<sup>24</sup> Wisely deferring, in those early years, to the wishes of established leaders, he became a political broker, reconciling differences and promoting party harmony.<sup>25</sup> The leading men considered him simply a good fellow who could be trusted and who would probably make a good cats-paw in the state legislature.<sup>26</sup> But, realizing that their offers to put him in the legislature threatened his independence, he deftly side-stepped all such entanglements and continued as a middleman.<sup>27</sup>

In the spring of 1883, Wells launched his bid to become the Valley jefe politico. From his position as City Attorney and aided by King and Kenedy money, he led the Blue Club to victory in the Brownsville city election.<sup>28</sup> Making preparations for the coming county election, he then enlisted the

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<sup>24</sup>N. G. Collins (Collins) to J. B. Wells, February 9, 1881; Charles F. Shea (Laredo) to J. B. Wells, February 11, 1882, Wells Papers.

<sup>25</sup>John S. Ford (Austin) to J. B. Wells, January 21, 1882; Richard King to J. B. Wells, July 15, 1882, Wells Papers.

<sup>26</sup>C. W. McNeil (Laredo) to J. B. Wells, July 20, 1883, Wells Papers.

<sup>27</sup>Richard King to J. B. Wells, July 15, 1882, Wells Papers.

<sup>28</sup>"Captain Kenedy will send \$250.00 and [I] expect as much from Captain King. . . . the contributions should pull us through." Thomas Carson to J. B. Wells, April 1, 1883, Wells Papers; The Daily Cosmopolitan (Brownsville, Texas), August 22, 1883.

support of Spanish language newspapers.<sup>29</sup>

Later that year, rumors circulated that Wells would run for Congress. Interest in the congressional race had been mounting because the incumbent, Tom P. Ochiltree, had angered his constituents when he opposed a deep water harbor appropriation for the Texas coast. Although a Republican, Ochiltree had been elected in 1882 with the support of most South Texas Democrats after he promised to seek a harbor appropriation; but, his stand stimulated vigorous opposition.

Three Democrats wanted the nomination to oppose the "Red-headed Ranger." W. H. Crain, a lawyer from Cuero, announced his candidacy early and campaigned diligently.<sup>30</sup> John W. Stayton of Victoria, a Texas Supreme Court justice, permitted his name to be introduced by a group of Corpus Christi lawyers headed by J. D. Givens and Stanley Welch.<sup>31</sup> Less prominently mentioned was James B. Wells, who the Rockport Transcript called, next to Stayton, the strongest Democrat in South Texas.<sup>32</sup>

The fight for the nomination focused on the endeavor to win the support of the public leaders in the district.

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<sup>29</sup>F. S. Mendoza to J. B. Wells, June 20, 1882, Wells Papers.

<sup>30</sup>W. H. Crain to J. B. Wells, December 27, 1883, Wells Papers.

<sup>31</sup>Sketch, "John W. Stayton," Wells Legal Papers.

<sup>32</sup>The Daily Cosmopolitan (Brownsville, Texas), February 6, 1884.

In December, discerning that he could not win the nomination, Wells withdrew from the race. Crain immediately asked for and received Wells' endorsement.<sup>33</sup>

The Crain-Wells alliance surprised and seriously damaged Stayton's prospects. Stayton's campaign managers thereupon determined to undermine Wells' influence. In February, 1884, Mifflin Kenedy warned Wells that a "combine" of Corpus Christi attorneys--McC Campbell, Givens, Welch, Crafts, and Field--were out to nip in the bud his bid for leadership of the Valley. Although he did not know much about the plot, Kenedy reported that Givens had divulged the conspiracy to Robert J. Kleberg who had learned too that Stanley Welch was to be the combine's Brownsville operative. Kenedy assured Wells that he and Kleberg, two of Cameron County's oldest settlers, would stand behind him.<sup>34</sup>

The support of Kenedy and Kleberg enabled Wells to overcome the threat of the incipient combine. By April, 1884, Wells had aligned most of the Valley leaders behind Crain, who rejoiced that "Captain King is working suatously [?] for me. Captain Kenedy and Senator N. G. Collins are for me."<sup>35</sup> Shortly afterward, Stayton publicly announced

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<sup>33</sup>Crain to J. B. Wells, December 27, 1883, Wells Papers.

<sup>34</sup>Mifflin Kenedy to J. B. Wells, February 18, 1884, Wells Papers.

<sup>35</sup>Crain to J. B. Wells, April 29, 1884, Wells Papers.



that he was not a candidate.<sup>36</sup>

With Stayton's withdrawal from the race, Wells emerged as a new power in Valley politics. Many regional politicians thereupon hastened to pay him homage.<sup>37</sup> Senator Collins of Duval County summed up their new regard by pledging that "you may command me in any manner where the Political interest of yourself is Concerned."<sup>38</sup> Not all regional leaders, however, were as obsequious. J. L. Dougherty of Hidalgo and F. E. Macmanus of Corpus Christi reportedly were endeavoring to arouse the people of Starr County against Wells.<sup>39</sup> A few days later, John P. Kelsey, of Rio Grande City, proclaimed that he controlled that congressional district and that Wells "shall never go there [Rio Grande City] while he lives."<sup>40</sup>

Since the selection of Crain was not commonly known, Wells remained publicly silent until June 25, 1884, when the Cuero lawyer made his formal announcement. Wells then promptly endorsed his candidate through the press and con-

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<sup>36</sup>Ibid., May 3, 1884, Wells Papers.

<sup>37</sup>J. O. Nicholson (Laredo) to J. B. Wells, February 23, 1884; T. M. Campbell (Hidalgo) to J. B. Wells, February 27, 1884; M. A. Skidmore (Rio Grande City) to J. B. Wells, March 3, 1884, Wells Papers.

<sup>38</sup>N. G. Collins to J. B. Wells, March 5, 1884, Wells Papers.

<sup>39</sup>James Livingston (Rio Grande City) to J. B. Wells, March 19, 1884, Wells Papers.

<sup>40</sup>H. L. King (Rio Grande City) to J. B. Wells, March 23, 1884, Wells Papers.

fidently predicted his nomination.<sup>41</sup> Early in June, Crain journeyed to Brownsville where, with Wells' support, he won control of the Valley delegations, thereby enabling him to win easily the nomination at the district convention in Victoria on July 22, 1884.<sup>42</sup>

During the primary maneuvering, a political prank enlivened the campaign. R. B. Rentfro, Wells' law partner and a staunch Republican, discovered that many people did not understand that a law partnership was strictly a business arrangement and that political adversaries often consorted in business matters. Sensing an opportunity, he used his business connection to suggest to nescient voters that Wells was actually a Republican. He telegraphed worthless political intelligence to Wells, hoping others would see the wire and conclude that the two were working together politically.<sup>43</sup> But, ironically, instead of disrupting the Democrats, Rentfro's stratagem confused several Republicans, who began consulting with Wells about patronage matters; John P. C. Whitehead, a Laredo attorney, went so far as to beg his endorsement in the contest with Ochiltree for the Republican

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<sup>41</sup>The Daily Cosmopolitan (Brownsville, Texas), June 25, 1884.

<sup>42</sup>Ibid., July 5, 1884.

<sup>43</sup>R. B. Rentfro to J. B. Wells, May 14, 1884, Wells Papers.

congressional nomination.<sup>44</sup>

While a few may have questioned Wells' party loyalty, the Democratic Party entertained no such doubt. In its August convention held in Houston, Wells was nominated as a presidential elector.<sup>45</sup> His selection signified his increased stature and, in the Valley, further strengthened his political influence.

Prior to the Republican Party state caucus held in Houston in September, James O. Luby of Duval County replaced J. L. Haynes as Collector of Customs for the Brazos Santiago District.<sup>46</sup> At about the same time, Ochiltree's decision not to run again for Congress precipitated a struggle for the Republican nomination. Haynes nominated Calvin Brewster of Laredo, and Luby championed the candidacy of Rentfro, who, he argued, was the only Republican who could divide the Valley vote and, thus, defeat Crain.<sup>47</sup> The Republican convention in September agreed; it nominated Rentfro.<sup>48</sup> Editor J. C. Scott of The Daily Cosmopolitan of Brownsville, claiming to be both neutral and a Democrat, endorsed Rentfro as

<sup>44</sup>John Hale (Roma Customs Service) to J. B. Wells, July 13, 1884; John P. C. Whitehead to J. B. Wells, June 26, 1884, Wells Papers.

<sup>45</sup>The Daily Cosmopolitan (Brownsville, Texas), August 28, 1884.

<sup>46</sup>Ibid., June 21, 1884.

<sup>47</sup>Ibid., September 20, 1884.

<sup>48</sup>Ibid., September 8, 1884.



the best qualified in addition to being a home town product.<sup>49</sup>

Wells was in an awkward situation. Aware that it would probably result in the dissolution of his law partnership, he publicly announced that he was a Democrat and would support Crain.<sup>50</sup> Then, as a precautionary measure to minimize Rentfro's advantageous use of his business connection, Wells devised an elaborate code for the exchange of messages among Crain adherents.<sup>51</sup> But an atmosphere of distrust was, for a law partnership, an impossible situation. By paid announcement in The Daily Cosmopolitan on October 2, 1884, Wells and Rentfro published their intention to dissolve their business association.<sup>52</sup> Rentfro and J. C. Scott formed a new partnership the following month; Wells and Hicks remained together.

The first real political problem encountered by Wells after Crain had secured the nomination came in Hidalgo County where a fight for control of county offices had fractured the Democratic Party. After failing to control the county convention, John McAllen, a rancher, had organized a large

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<sup>49</sup>Ibid., September 5, 1884.

<sup>50</sup>Ibid., September 11, 1884.

<sup>51</sup>Horatio L. King to J. B. Wells, July 13, 1884; Crain to J. B. Wells, September 22, 1884; Key to the code, Wells Papers.

<sup>52</sup>The Daily Cosmopolitan (Brownsville, Texas), October 2, 1884.

group of Independent Democrats.<sup>53</sup> Wells proposed a compromise whereby McAllen would name the county treasurer and inspector,<sup>54</sup> but McAllen demanded, in addition, the office of county clerk. Wells, convinced that McAllen would actually be satisfied with nothing less than total control of the county, then threw his support to J. L. Dougherty and Thaddeus M. Rhodes, leaders of two other factions. However, Democrat success, particularly Crain's, seemed doomed in Hidalgo County inasmuch as the wealthy McAllen had more resources to "corral" the vote. A member of the Dougherty faction complained that "the common people on the river are . . . full of promises but are going where they think it will benefit them in a pecuniary point of view the day of the election."<sup>55</sup> He predicted that, unless the Democrats could get financial help in Hidalgo County, Crain would be defeated by the combined spending of McAllen and the Customs House.

To offset the shortage of money, Wells spent many days in the backcountry urging the large ranchers, including Feliciano San Román and George Cavassos of the Tule Ranch, to influence their people to support Crain and the Dougherty-

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<sup>53</sup>Thaddeus M. Rhodes to J. B. Wells, September 27, 1884, Wells Papers.

<sup>54</sup>J. B. Wells to John McAllen, copy, n.d., Wells Papers.

<sup>55</sup>W. P. Dougherty to J. B. Wells, September 16, 1884, Wells Papers.

Rhodes combination. Supplying a few funds for the "corral" vote, Crain helped by providing voting box observers, who were instructed to challenge every vote against him and to demand that every "imported" voter be arrested.<sup>56</sup> In Hidalgo County, there was no Blue Club to get out the crucial "unnaturalized" vote.

In Cameron County, Wells also enlisted the aid of several large ranchers. Mifflin Kenedy of the La Parra Ranch, M. L. Browne of Rancho del Atascosa, and J. J. Cocke of Santa Maria agreed to instruct the rural voters, prepare their tickets, and staff the polls because, as Kenedy had noted, "they are all novices there."<sup>57</sup> Browne assured Wells that he could "corral" about seventy-five "good clean blue votes" with a few bottles of whiskey, although "as for me I am a member of the Temperance Society."<sup>58</sup> Cocke promised at least 229 of the 230 votes at Santa Maria.<sup>59</sup>

During the last weeks before the November election, the campaign waxed hot. In Brownsville, the Blue and Red clubs convened nightly for speeches and torchlight parades. Each seemed to try to exceed the other in entertaining the

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<sup>56</sup>Crain to J. B. Wells, October 26, 1884, Wells Papers.

<sup>57</sup>Mifflin Kenedy to J. B. Wells, October 31, 1884, Wells Papers.

<sup>58</sup>M. L. Browne to J. B. Wells, November 3, 1884, Wells Papers.

<sup>59</sup>J. J. Cocke to J. B. Wells, November 6, 1884, Wells Papers.



masses. Wells and Stanley Welch organized young Democrats into "Crain Cadets" who, led by their chairman, Henry F. Hord, paraded about town in distinctive uniforms of blue ties and aprons and provided much of the noise and a great many of the fist fights that punctuated the campaigning.<sup>60</sup>

Eventually, the campaign degenerated into a war of invective. For the Mexican-Texan voter, the Brownsville Daily Republican published a Spanish language issue, referring to the Democratic candidate as "El pelado Crain" (the plucked Crain). The feature article by E. H. Goodrich, a Customs House employee and president of the Blaine-Logan Club, accused Crain of having stated that Mexicans were so incapable of governing themselves that within twenty years they would be under a monarchy. Goodrich then asked if Mexican-Texans could possibly vote for such a "Democrata-Demonio" (Democrat-Demon).<sup>61</sup> The article infuriated Crain who, convinced that Luby and Customs House funds were responsible for the paper, fulminated, ". . . I want their scalps."<sup>62</sup> J. C. Scott, editor of The Daily Cosmopolitan, also opposed Crain. Dubbing the Blue Club, the "Jimmycrats,"

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<sup>60</sup>The Daily Cosmopolitan (Brownsville, Texas), September 25, 1884.

<sup>61</sup>Daily Republican (Brownsville, Texas), n.d., Wells Papers.

<sup>62</sup>Crain asked Wells to gather every copy he could find of the Daily Republican. He intended in retaliation to try to get Luby removed but needed supporting evidence. Crain to J. B. Wells, November 14, 1884, Wells Papers.

he told his readers that "Crain is the kind of man who always writes 'I' with a capital letter and 'God' with a little 'g'." <sup>63</sup>

The Democrats reciprocated with a series of "letters" to the editor and "interviews" in the weekly Brownsville Times and the Laredo Times. Ostensibly written by various officials but actually drafted by Collin Campbell, editor of the Laredo Times, the "letters" predicted that Rentfro would be "crushed" by Crain. Portraying Rentfro as the tool of James Luby, the "letters" noted that the contest had been even, but, because the Customs House funds were almost exhausted, Crain would win by a large margin. The "letters" threw the Rentfro camp into consternation. <sup>64</sup> A week before the election, a series of "interviews" with Cameron County officials, written by Campbell and Charles E. Miller, editor of the Brownsville Times, repeated the charges outlined in the "letters." Wells directed and edited the writing of both the "interviews" and "letters." <sup>65</sup>

Seemingly emanating from the Customs House, rumors that railroad employees would be attacked if they tried to vote caused the influential José San Román to speak out for Crain. Ordering protection for the employees of the Rio

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<sup>63</sup>The Daily Cosmopolitan (Brownsville, Texas), October 9, 1884.

<sup>64</sup>Collin Campbell to J. B. Wells, October 13, 1884, Wells Papers.

<sup>65</sup>Ibid., October 17, 1884, Wells Papers.



Grande Railway so they "can vote as they please without fear of any unpleasant results," San Román assured Wells that he was a Democrat and a Crain supporter "and you may make as much capital of that fact as you like."<sup>66</sup>

On election day, large majorities from Cameron County's rural boxes carried Crain to victory with 1,892 votes to Rentfro's 1,268. M. L. Browne delivered 78 Democrat votes, with a loss of only 7 to the Republicans in the Rancho del Atascoso precinct, and Cocke, at Santa Maria, reported his promised 229.<sup>67</sup> Over the twenty-seven counties of the congressional district, Crain's majority was 4,807, a rather respectable margin. In Cameron County, with the exception of the office of county judge, the Blue Club won all offices. In Hidalgo County, the Dougherty and Rhodes factions, for whom Wells worked quietly among the rancheros, defeated McAllen.<sup>68</sup>

In achieving their victory, Valley Democrats expended considerable sums of money. And, Wells, apparently, found that success incurred upon him a larger financial burden than he was prepared to meet.<sup>69</sup> Since the deficit of Cameron

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<sup>66</sup>B. O. Hicks to J. B. Wells, November 4, 1884, Wells Papers.

<sup>67</sup>The Daily Cosmopolitan (Brownsville, Texas), December 13, 1884.

<sup>68</sup>Ibid., December 24, 1884.

<sup>69</sup>S. M. Walsh (Hidalgo) to J. B. Wells, November 8, 1884, Wells Papers.



County's Blue Club alone was over \$2,700.00, he was forced to go to Captains King and Kenedy for help and to use most of his personal funds to meet expenses.<sup>70</sup>

The only major failure was in Starr County. There, Wells failed to select a capable leader. Rafael Aldrete of Rio Grande City, who hoped to become a mounted customs inspector, reported afterward that all of his workers went into the countryside but were "corralled" by the opposition. Complaining that many of his friends "acted the traitor," he explained:

José Maria went out to the Federales to work for you and Crain as he told me and I give him 50 [prepared ballots], but you have just got the news that Crain did not get one vote out there and Rentfro got them all but 6, so that Crain is 43 votes behind in this infernal county but the balance of the Democratik ticket is nearly 100 ahead. You know how much you can depend on the gang of Lopes, Mariano and Co. . . .<sup>71</sup>

As a result of Aldrete's failure, Wells apparently decided to replace the party leaders in Starr County. After a careful search, he chose and began to groom a politically inexperienced merchant from Roma, Don Manuel Guerra, and a close friend from Rio Grande City, W. W. "Wash" Shely.<sup>72</sup> Neither Guerra nor Shely, who operated a stage line, were

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<sup>70</sup>Carson to J. B. Wells, December 4, 1884, Wells Papers.

<sup>71</sup>R. Aldrete to J. B. Wells, November 7, 1884, Wells Papers.

<sup>72</sup>Ibid., December 2, 1884, Wells Papers.

able to provide immediate strong leadership, but, with Wells' help, they eventually dominated county politics.

Shortly after election day, a series of telegrams from Thaddeus Rhodes to Wells warned of impending trouble in Hidalgo County. Charging that John McAllen, who refused to concede defeat, was gathering two hundred armed men to seize by force the county election returns before they could be canvassed, Rhodes begged Wells to send help.<sup>73</sup> Wells apparently turned to Governor John Ireland who on November 12 wired that he had sent a force of Rangers.<sup>74</sup> Under the direction of A. Dillard, the Rangers made a quick inspection, decided that there was no real trouble, and, on orders from the Adjutant General, left town.<sup>75</sup> As soon as the Rangers had departed, McAllen started with his men for Edinburg. Upon receipt of this news, Rhodes declared himself elected county judge and with Sheriff James L. Dougherty recruited an opposing force of twenty-five men to protect the county court and records.<sup>76</sup> McAllen thereupon evacuated the women and children and cut off access to the tiny village to prevent reinforcements from reaching Rhodes. Realizing that

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<sup>73</sup>Rhodes to J. B. Wells, six military telegraph copies, n.d., Wells Papers.

<sup>74</sup>John Ireland to J. B. Wells, telegram, November 12, 1884, Wells Papers.

<sup>75</sup>Rhodes to J. B. Wells, n.d., Wells Papers.

<sup>76</sup>John Jay Smith (Edinburg) to J. B. Wells, November 16, 1884, Wells Papers.



his group was outmanned, N. Caceres, a Rhodes adherent, then attempted to ride a race horse through the blockade but in the attempt was shot dead by an unknown assassin. With each side accusing the other of firing the murder missile, the killing provoked a wild exchange of shots, but, fortunately, no other was hurt. Afterward, when tempers had cooled somewhat, McAllen proposed that both forces disband and send representatives to canvass jointly the county vote. Rhodes agreed and eventually emerged victorious.<sup>77</sup>

Because of an acute attack of ophthalmia, Wells was unable to go to Edinburg to negotiate with the disputants. However, he was convinced that neither of the two hothead leaders was suitable to lead the county Democratic coalition, and during the next few years, while he searched for a capable leader, he deftly played one faction against the other.

Grover Cleveland's election to the presidency in 1884 gave Valley Democrats their first opportunity in twenty-four years to control the Brazos Santiago Customs House. Since whoever held the collectorship would control its patronage, local Democratic leaders maneuvered quickly to secure the appointment for their favorites. The associated intrigue, which threatened to evolve into a power struggle between Richard King and Mifflin Kenedy, afforded Wells a chance to demonstrate his skill in resolving political disputes. In

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<sup>77</sup>Henry F. Hord to J. B. Wells, November 15, 1884, Wells Papers.



February, 1885, hopeful of securing the appointment for Robert Dalzell, a longtime resident of Brownsville, Mifflin Kenedy wrote Wells, "I expect your assistance."<sup>78</sup> Since Richard King also wanted Dalzell, the choice pleased Wells. But, upon learning that Captain King had endorsed Dalzell, Kenedy shifted his support to A. Burme.<sup>79</sup> To avoid incurring the anger of either of his two most important clients, Wells quietly asked Crain to nominate, as a compromise, J. J. Cocke of Santa Maria. Crain thereupon approached Kenedy who, apparently happy that King's nominee would not be selected, readily accepted Cocke. However, King refused to approve Cocke until informed that, in recognition of his campaign efforts, Wells had preference "in the disposal of the patronage of the Lower Rio Grande."<sup>80</sup> In return for Crain's support, Wells assumed the burden of maintaining party unity behind Crain. The Cocke affair occasioned a brief estrangement with the King group, but Wells' acquisition of patronage more than offset the temporary loss, and within a short time R. J. Kleberg, who represented the King Ranch, besought Wells to protect some friends who were being threatened with ouster from office.<sup>81</sup> Cocke replaced James

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<sup>78</sup>M. Kenedy to J. B. Wells, February 16, 1885, Wells Papers.

<sup>79</sup>Crain to J. B. Wells, April 6, 1885, Wells Papers.

<sup>80</sup>Ibid., April 12, 1885, Wells Papers.

<sup>81</sup>R. J. Kleberg to J. B. Wells, November 11, 1885, Wells Papers.

Luby in the Collector's office in 1885.<sup>82</sup> He then quickly replaced the customs service appointees with Wells' nominees, except in Starr County where the appointments went to supporters of Manuel Guerra.<sup>83</sup>

As another repayment for his political support, Wells requested Crain to promote certain legislation. He wanted Point Isabel, in which, as we have seen, he had a pecuniary interest, developed into a deep-water harbor, and had Crain initiate efforts to interest the Corps of Engineers.<sup>84</sup> With Wells' approval and to enhance his popularity with the Brownsville business community, Crain also introduced a bill, in 1886, to build a \$60,000.00 federal building in Brownsville, but the bill died in committee.<sup>85</sup> Despite his failure to get the bill enacted, a Blue Club quarrel, and rump Democratic conventions in Duval, Hidalgo, Starr, and Webb counties, Wells experienced little difficulty in 1886 in getting Crain renominated and reelected.

Other primary political objectives of Wells in 1886

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<sup>82</sup>Joseph Webb (El Sauz Ranch) to J. B. Wells, September 28, 1885, Wells Papers; U. S., Congressional Record, 49th Cong., 1st Sess., 1885, XVII, 363, 4095.

<sup>83</sup>J. B. Wells to Crain, n.d. [1885]; M. Kennedy (Rio Grande City) to J. B. Wells, November 2, 1885; J. J. Cocke to Crain, December 15, 1885; Cocke to J. B. Wells, December 16, 1885, Wells Papers.

<sup>84</sup>J. B. Wells to Crain, n.d., letterpress, Wells Papers.

<sup>85</sup>Copy of "A Bill by W. H. Crain," January 6, 1886; Cocke to J. B. Wells, December 7, 1885, Wells Papers.



were to re-elect Senator S. B. Maxey and to select a successor to the recently deceased state Senator E. F. Hall. Wells had little trouble in getting the Valley county conventions to instruct their delegations for Maxey, but he met tenacious opposition to his senate nominee, W. Showalter of Laredo, who was not regarded as a party regular.<sup>86</sup> Even when he realized that the majority of his party favored the candidacy of E. A. Atlee of Corpus Christi, an old political foe, Wells refused to yield and persuaded Cameron, Hidalgo, and Starr counties to instruct for Showalter. But, several Cameron County Democrats, led by James G. Browne, Sheriff Santiago A. Brito, and W. Scanlon, sent contesting delegates to the district senatorial convention.<sup>87</sup> With the help of Atlee, Scanlon prevented the seating of the regular delegation from Cameron County and otherwise helped to defeat Showalter.<sup>88</sup>

Although the Showalter debacle damaged his influence in Brownsville, Wells, by effective use of Customs House patronage, remained firmly in control of politics in Hidalgo and Starr counties. He was particularly successful in the

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<sup>86</sup>J. S. Penn (Laredo) to J. B. Wells, n.d., Wells Papers.

<sup>87</sup>Benjamin Kowalski (Brownsville) to J. B. Wells, May 18, 1886, Wells Papers.

<sup>88</sup>W. Showalter (Laredo) to J. B. Wells, August 7, 1886, Wells Papers; J. W. Moore, Biennial Report of the Texas Secretary of State, 1888 (Austin: State Printing Office, 1889).



former where John McAllen and Thaddeus Rhodes were still antagonists. Claiming that the county chairman had failed to call a nominating convention, McAllen had convened a rump convention which had instructed delegates for President Cleveland, Governor John Ireland, and W. H. Crain and then had assigned all proxies to Wells.<sup>89</sup> Ignoring McAllen's overtures, Wells had the Dougherty-Rhodes factions meet in regular convention and instruct as he directed.<sup>90</sup> Then, he sent Rhodes to Starr County, where there was no strong political leader, to convene the Democrats and have them instruct delegates in like manner.<sup>91</sup>

After the election, Wells continued to work in Crain's behalf. "Have no fears," he wrote, "about anything that I can do for you here. It will be attended to."<sup>92</sup> Despite the personal reciprocation of favors, the Valley did benefit from the Crain-Wells alliance. As an example, Crain blocked strong and persistent demands for the abandonment of both the Point Isabel lighthouse and Fort Brown.<sup>93</sup>

Patronage terminated for Wells, of course, when

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<sup>89</sup>Broadside, July 4, 1886; Resolution of Jesse Dennett, August 1, 1886, Wells Papers.

<sup>90</sup>J. L. Dougherty to J. B. Wells, July 28, 1886, Wells Papers.

<sup>91</sup>Rhodes to J. B. Wells, July 29, 1886, Wells Papers.

<sup>92</sup>J. B. Wells to Crain, December 19, 1887, Wells Papers.

Benjamin Harrison became president in 1889. Harrison soon named R. B. Rentfro to succeed J. J. Cocke.<sup>94</sup> Rentfro then urged Wells to get Cocke to resign early and thereby "protect your friends in office." Wells agreed, and Rentfro took over the Customs House without delay.<sup>95</sup> Democrat appointees, however, were quickly removed.

Meanwhile, in late 1888, factional strife again flared in Hidalgo County. There County Judge Thaddeus Rhodes and John McAllen had joined forces against Sheriff James L. and William P. Dougherty.<sup>96</sup> Since the Rhodes and McAllen confederacy was too powerful to overcome, Wells, this time, bowed to the inevitable and helped Rhodes and McAllen.<sup>97</sup> But, the Doughertys, with the help of Republican R. B. Rentfro, fought back by initiating a campaign to remove Rhodes from office.<sup>98</sup> Wells, thereupon, determined to replace the entire lot with John Closner, a Democrat and a former deputy sheriff with whom he had become acquainted in

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<sup>93</sup>Crain to J. B. Wells, January 10, 1888, Wells Papers.

<sup>94</sup>Rentfro to J. B. Wells, April 4, 1889, Wells Papers; U. S., Congressional Record, 51st Cong., 1st Sess., 1890, XXII, 634.

<sup>95</sup>Ibid.; Rentfro to J. B. Wells, April 24, 1889, Wells Papers.

<sup>96</sup>Rhodes to J. B. Wells, October 8, 1888, Wells Papers.

<sup>97</sup>Ibid., October 28, 1888, Wells Papers.

<sup>98</sup>J. L. Dougherty to J. B. Wells, September 23, 1889, Wells Papers.

1884.

Living near the center of the county on an 8,000 acre tract, Closner, too, had become disgusted with the interminable squabbling among McAllen, Rhodes, and the Doughertys. When the Doughertys attempted to displace Rhodes as county judge, he apparently perceived an opportunity to take control of the county. He initiated his plan by persuading the county commissioner's court to demand higher bonds for certain county officials, including Sheriff Dougherty and Judge Rhodes. Then Wells, Rentfro, whose immediate goal was to get Democrats out of office, and Closner induced local bondsmen not to sign the new bonds for Dougherty and Rhodes.<sup>99</sup> When the two officials were unable to post bonds by the prescribed date, their offices were declared vacant.<sup>100</sup> Ultimately, however, Rentfro emerged victorious. He threw his support to H. M. McCabe, the local Republican leader, and prevailed upon the commissioner's court to appoint McCabe as county judge.<sup>101</sup> Wells and Closner appealed to District Judge John C. Russell to remove McCabe, but Russell

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<sup>99</sup>J. L. Dougherty to J. B. Wells, November 16, 1889, Wells Papers.

<sup>100</sup>Closner led a grand jury investigation that resulted in the removal of at least one other county official for malfeasance while in office. Away much of the time, Wells was kept abreast of the situation by Ranger John R. Hughes. John Closner to J. B. Wells, September 13 and 27, 1889, Wells Papers.

<sup>101</sup>J. L. Dougherty to J. B. Wells, November 16, 1889, Wells Papers.



was hesitant to act.<sup>102</sup>

Although he no longer had control of any political patronage and had lost in his bid to gain control of Hidalgo County, Wells had established by 1890 a tremendous source of political power. Over the years, his genuine concern for the Valley people, his attendance at their bailes, christenings, confirmations, and funerals, and his work as their abagado primo had won for him many political friends. In the future, these people would repay his kindnesses with their votes.<sup>103</sup>

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<sup>102</sup>San Antonio Daily Express, December 29, 1890.

<sup>103</sup>Robert C. Wells to J. R. Baulch, interview, July 9, 1973.

## CHAPTER V

### "A DEMOCRAT PAR EXCELLANCE"

During the months of November and December, 1890, while the nation's attention was fastened upon the tragedy unfolding at Wounded Knee and while Henry George was in South Texas explicating his single tax scheme, a curious drama, known locally as the Catarino Garza War, reached its climax along the lower reaches of the Rio Grande. This so-called war or rebellion left no deep scars and, consequently, was soon forgotten, its details hidden in misleading and hearsay newspaper accounts, self-serving military reports, generally inaccurate recollections, and a few grossly erroneous histories. No account accurately depicts the uprising or the role played in it by James Wells. Partially due to Wells' influence, the incident did not, as one treatise claims, develop into a revolt of Texas-Mexicans against Americans.<sup>1</sup>

Catarino Erasmo Garza first appeared in Brownsville shortly before 1880 where for a time he worked as a clerk in the mercantile establishment of Bloomberg and Rafael. He

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<sup>1</sup>Webb and Carroll (eds.), The Handbook of Texas, II, p. 878.

later sold sewing machines from door to door. About 1880, he married Caroline Conner, a niece of long-time county clerk and Blue Club leader, Pepe Webb. The Garzas seem to have led a very domesticated life, Catarino fathering two daughters.<sup>2</sup>

While in Brownsville, Garza observed the antipathy of those of la raza (the race) for the Mexican administration of Porfirio Díaz and the admiration they held for Juan N. Cortina, then in Díaz' custody. About 1883, Garza seems to have conceived the notion that discontent with Díaz was so rife that he could lead a Mexican revolution, originating, as Díaz' own revolution had begun, from a Rio Grande base. Abandoning his family for the life of a political dissident, Garza left Brownsville that year to inaugurate his plan.<sup>3</sup>

After residing for some time in Laredo and in St. Louis, Garza eventually settled in Eagle Pass where he published an anti-Díaz paper. While there, an editorial critical of José María Garza Galán, Governor of Coahuila, provoked a demand for his arrest and extradition to face libel charges. Frightened, Garza fled eastward to Corpus Christi where he established El Comercio Mexicano, a periodical that soon became very influential among Valley Mexican-Texans.<sup>4</sup>

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<sup>2</sup>George Conner (uncle of Caroline Conner) to J. B. Wells, January 19, 1889, Wells Papers.

<sup>3</sup>Harbert Davenport to Robert C. Wells, copy, April 2, 1953, Davenport (H) Collection, Texas State Library.

<sup>4</sup>San Antonio Daily Express, January 1, 1892.



A series of events soon thereafter catapulted Catarino Garza into the forefront of border politics. The killing of Abraham Resendez at Rio Grande City by Victor Sebree, an inspector of customs, and A. Dillard, a deputy United States marshall, aroused border Mexican-Texans. They became overly restive when a change of venue moved the trial of the officers to Duval County. When Sebree and Dillard won an acquittal, Garza penned scathing articles denouncing the defendants, the Duval County jury, and "Anglo" justice. A short time later, in a gunfight confrontation with Sebree in Rio Grande City, Garza was wounded. The incident caused great excitement among the victim's friends who began to portray him as the protector of "the race." While recuperating from his wounds, Garza wrote the regionally-acclaimed La Lógica de los Hechos (The Logic of Acts), thereby adding an intellectual dimension to his image.<sup>5</sup>

In late 1886, rumors that Catarino Garza was recruiting a revolutionary army worried the Mexican government. Through its consul at Brownsville, Manuel Treviño, Mexico secretly solicited Wells' help in bringing charges against various Garza associates for allegedly violating neutrality laws.<sup>6</sup> Wells, who was kept informed of Garza's activities by a brother, Celedonio, a prominent Blue Club figure, and by

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<sup>5</sup>Ibid.

<sup>6</sup>B. O. Hicks to J. B. Wells, November 16, 1886, Wells Papers.

Garza's wife, who had just instituted a suit for divorce, knew that Garza had no military following and that Valley folk regarded him merely as a critic of the establishment. In his letters to his wife, which Wells acquired, Garza gave no indication that he was even plotting a revolution.<sup>7</sup> Refusing Treviño's employment, Wells explained that he would find prosecuting Garza extremely "unpleasant."<sup>8</sup>

In 1888, rumors again circulated that Garza was recruiting men either to invade Mexico or, perhaps, to disrupt elections in Starr County. Petitioned to investigate the reports, Governor L. S. Ross sent Rangers who found no real evidence of a Garza conspiracy.<sup>9</sup> After a careful inquiry of his own, Wells traced the rumors to R. B. Creager, a Brownsville resident and leading Valley Republican, who hoped that "ugly talk" would keep Democrats away from the polls in the hot contest for sheriff between Republican Don Lino Hinojosa and Democrat W. W. Shely.<sup>10</sup> Creager's strategy was simply to capitalize on the Garza stories then circulating among common folk. The episode caused John G. Kenedy to quip:

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<sup>7</sup>Catarino E. Garza to Caroline Conner [Garza], January 15, March 24, and April 4, 1887, Wells Papers.

<sup>8</sup>Wells and Hicks to Manuel Treviño, January 21, 1887, letterpress, Wells Papers.

<sup>9</sup>T. W. Kenedy (Rio Grande City) to J. B. Wells, telegram, September 17, 1888, Wells Papers.

<sup>10</sup>Henry F. Hord (Rio Grande City) to J. B. Wells, October 15, 1888, Wells Papers.



I have learned that Pious William (alias Hydrophobia Bill of the Filapeña Valley) started North in company with five septuagenarian old brush cocks, riding abreast across the country, warning all of the approaching dangers and reached their goal in safety. We are all on the lookout and all we ask of you is that if you hear of any of us held in the brush, come and get us out of soak.<sup>11</sup>

After Caroline Conner Garza gained her divorce, Catarino Garza moved to Palito Blanco, Texas, where he married a daughter of the highly esteemed ranchero, Don Alejandro Gonzales. Settling on Don Alejandro's rancho, Garza began publishing El Libre Pensador (The Free Thinker) and a satellite called El Baluarte (The Bulwark). Condemning Díaz for abandoning his pledge not to seek re-election, for establishing a military dictatorship, and for abolishing freedom of the press, liberty of speech, and the right of amparo (sequestration), Garza caustically charged that Mexican elections had become a farce and that Díaz was the tool of the church party, the old Centralists, and the Imperialists.<sup>12</sup>

In 1890, Garza directed his oppugnancy toward the governor of Tamaulipas. He joined General D. Ignacio Martínez, editor of Laredo's El Mundo, in a war of invective against General Bernardo Reyes. When, after exhorting Mexicans to support an abortive revolution led by Francisco Ruiz Sandoval, Martínez was assassinated, Garza, in a bio-

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<sup>11</sup>John G. Kenedy to J. B. Wells, October 25, 1889, Wells Papers.

<sup>12</sup>The San Antonio Daily Express, January 1, 1892.



graphy entitled El Burro Del Oro (The Golden Ass), bitterly referred to Reyes as "Jackal Reyes." Incensed, Reyes' Laredo friends endeavored to bring charges of libel against Garza.<sup>13</sup>

The suit for libel and talk that Reyes had ordered his assassination prompted Garza to disappear into the brush country east of the Rio Grande. Thereafter, other than hearsay, little is known of him. Ostensibly using Palito Blanco as an intelligence center, he reputedly organized a force to invade Mexico. Reacting quickly, the Mexican government moved soldiers, under the command of General Lorenzo García, to the border. Shortly after his arrival, García began to suppress brutally all dissent along the river. According to a special agent of the United States Treasury Department, he had no less than eighty people shot because of suspected pro-Garza sympathies.<sup>14</sup> His cruelties caused many Valley Texans to sympathize with Garza.

Hoping to avert further border warfare, Wells finally went into action. Having helped the rancheros with food and money during the drought of the late 1880's, he had become for them a very influential advisor. Although most of the rancheros were peaceful men who still remembered the unhappy days of the Cortina raids, there was, nevertheless, a possibility that they might take up arms to protect kinsmen.

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<sup>13</sup>Ibid.

<sup>14</sup>Ibid., November 26, 1891.

Wells set forth to convince them that it would be to their best personal interest not to participate in any violence. He visited with each of the rancheros, including Alejandro Gonzales, attempted to impress on them that they had an obligation, a duty, to uphold law and order, and urged them to act with prudence and common sense.<sup>15</sup> The effectiveness of Wells' arguments cannot be determined, but Garza made no depredations while based on the American side of the Rio Grande or while he maintained organized control over his followers. As usual, Wells' exertions were undramatic. Yet, they were especially important because all Texas Rangers had been removed from the Rio Grande that year to control Knights of Labor activities elsewhere.<sup>16</sup>

While Wells was in the back country reasoning with the rancheros, political turbulence again erupted in Hidalgo County. In a special election in 1890, both incumbent Republican H. T. McCabe and Democrat Max Stein claimed victory in the race for county judge. Supported by R. B. Rentfro, McCabe refused to canvass the returns or vacate the county judge's office.<sup>17</sup> Aided by James L. Dougherty, who was now supporting Sheriff-elect John Closner, and John Kleiber, the

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<sup>15</sup>Harbert Davenport to Robert C. Wells, copy, March 28, 1953, Davenport (H.) Collection.

<sup>16</sup>W. H. King, Adjutant General's Report, 1889-1890 (Austin: Henry Hutchings, State Printer, 1890), p. 26.

<sup>17</sup>James L. Dougherty to J. B. Wells, February 5, 1890, Wells Papers.



county attorney, Wells proceeded to gather evidence to contest in the district court McCabe's right to the office.

In an attempt to prevent the district court from meeting in May, 1890, someone threatened the life of Judge John C. Russell. When Russell, undaunted, appeared in Edinburg to hear the election contest, McCabe organized a mob to seize the election returns. However, Sheriff Closner dispersed the mob, and McCabe fled to Reynosa. Russell subsequently found that Stein had been elected. For a time thereafter all was quiet. Then in August, while visiting in Reynosa, Stein was murdered by Mrs. McCabe, who claimed he had slandered her husband.<sup>18</sup>

The commissioner's court appointed W. P. Dougherty as Stein's successor and called upon the grand jury to investigate the slaying.<sup>19</sup> After a thorough probe, the grand jury charged that a conspiracy to murder Russell, Closner, and W. P. Dougherty was afoot and indicted R. B. Rentfro, H. T. McCabe, Jeff Dennett, Charles Schunoir, and Dr. A. M. Headly.<sup>20</sup> Although the case was eventually dropped for lack of evidence, the episode destroyed for a decade the in-

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<sup>18</sup>The San Antonio Daily Express, December 29, 1890.

<sup>19</sup>J. M. Moore, Biennial Report of the Texas Secretary of State, 1890 (Austin: State Printing Office, 1890), p. 141.

<sup>20</sup>The San Antonio Daily Express, December 29, 1890.



fluence of Rentfro and his allies. During the 1890's in the Valley, only in Duval County, where James O. Luby dominated political affairs, did Republican office-seekers poll a substantial vote.

In the spring of 1890, Wells was appointed Democratic Party chairman of the Eleventh Congressional District.<sup>21</sup> From this position, he easily managed Crain's renomination. Even his erstwhile foe, State Senator E. A. Atlee, joined Wells and organized Encinal, Webb, and Zapata counties for Crain.<sup>22</sup> After the primary victory, an exultant Tinie Wells sounded a new victory cry, "Viva la grulla" (long live the crane).<sup>23</sup> Almost anticlimactic, Crain won in the general election by a majority greater than that received in the district by Stephen Hogg for governor. Overall, Democrats received approximately 75 percent of the Valley vote.<sup>24</sup>

In 1891, Wells took time to lead a grand jury investigation of the Brownsville police department. The jury exposed some terrible conditions in the city jail, including abuses of women prisoners and overcrowding—as many as

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<sup>21</sup>Frank Feuille (Wells' office manager) to J. B. Wells, April 28, 1890, Wells Papers.

<sup>22</sup>E. A. Atlee to J. B. Wells, August 1, 1890, Wells Papers.

<sup>23</sup>Pauline J. Wells to J. B. Wells, August 7, 1890, Wells Papers.

<sup>24</sup>Galveston Daily News, November 20, 1890; Moore, Biennial Report, 1890, pp. 85, 95, 202, 205.

eight prisoners in cages designed for two. The resultant popular outcry was personally gratifying to Wells, perhaps giving him some measure of satisfaction for the city council's attack two years before on his beef marketing enterprise. His part in the exposé, however, won for him the undying enmity of the Emile C. Forto faction, then in control of the city.<sup>25</sup>

While Wells was directing the police department probe, Garza followers made a series of incursions into Mexico.<sup>26</sup> In response to protests from Mexico, swarms of American troops from Forts Brown, Ringgold, and McIntosh scouted the country up and down the river in search of armed violators of the neutrality laws. Despite an extensive reconnaissance, the army accomplished little more than to ascertain that, on September 15, approximately sixty men had crossed the Rio Grande, engaged Mexican troops in battle, and, afterwards, had disappeared into southwest Texas. The search continued without any result until December 21 when a detachment under Captain J. G. Bourke of the Third Cavalry met a party of armed men at Retamal Springs. After a short skirmish, the band fled into the brush country.<sup>27</sup>

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<sup>25</sup>Daily Cosmopolitan (Brownsville, Texas), September 30, 1891.

<sup>26</sup>San Antonio Daily Express, November 16, 1891.

<sup>27</sup>Brigadier Frank Wheaton, "Report," September 13, 1892, "Annual Report of the Secretary of War," 1892, in 52d Cong., 2d Sess., House Exec. Doc. I, Part 2 (Washington: Government Printing Office, 1893), I, 133-135.



Since the scouting parties failed to find or apprehend the raiders, Wells concluded that the army lacked the ability to cope with guerrillas in brush country. He contemptuously charged that the soldiers frequently passed along the senderos (roads) within "arms length" of their quarry without knowing they were there.<sup>28</sup>

In 1892, the Garza following deteriorated into a bandit horde. Unable to recruit South Texans, Garza was forced to rely upon soldiers of fortune. The mercenaries, particularly El Doche (the Dutchman), an expert in the use of explosives and the techniques of guerrilla warfare, were a serious threat to life and property.<sup>29</sup> Realizing that Garza would have difficulty controlling such men, Wells asked Governor Hogg to create a special force of secret rangers to harry the hirelings out of Texas. Explaining to Hogg that the would-be-revolutionaries simply scattered when pursued by the army, he suggested that secret agents could track down the fugitives and eliminate them one by one.<sup>30</sup> When the Governor agreed, Wells asked Hogg not to make public the existence of the force nor to reveal who suggested its

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<sup>28</sup>Harbert Davenport to Robert C. Wells, copy, April 2, 1953, Davenport (H) Collection.

<sup>29</sup>The San Antonio Daily Express, November 16, 1891.

<sup>30</sup>Wells, Stayton, and Kleberg to James S. Hogg, December 28, 1892, Hogg Papers, Letters Received, XXXIII, 183-186. The letter refers to an earlier conversation between Wells and Hogg.



creation since "publicity would in our opinion endanger us."<sup>31</sup>

A series of clashes that quickly resulted between the Special Ranger force and small bands of armed men proved the efficacy of Wells' plan. As his men were captured one or two at a time, Catarino Garza's hopes for a revolution died. On December 10, 1892, an armed body of riders crossed into Mexico at San Ygnacio, fifty-three miles below Laredo, surprised a Mexican army encampment, and killed two officers and four enlisted men. Although Texas newspapers held Garza responsible, an enraged Mexican government placed blame on bandits Mangas de Agua and Francisco "El Tuerto" Benavides. Regardless of who was guilty, when soon afterwards De Agua and Benavides were arrested in Texas, the so-called Catarino Garza War came to an end.<sup>33</sup> Depending upon the relator, Garza was arrested at a number of places by a number of "would be" heroes, but an official record is either non-existent or not available. According to W. W. Shely, Sheriff of Starr County, Garza simply left Texas when he learned

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<sup>31</sup>Wells, Stayton, and Kleberg to James S. Hogg, December 29, 1892, Wells Papers.

<sup>32</sup>Reports from S. A. Brito, L. L. Wright, L. F. Avents, William Shely, John G. Kenedy, P. S. Champion, and George J. Reynolds to W. H. Mabry, Adjutant General's Correspondence, Special Rangers, 1892, Texas State Library.

<sup>33</sup>Brigadier Frank Wheaton, "Report," August 18, 1893, "Annual Report of the Secretary of War," 1893, in 53d Cong., 2d Sess., House Exec. Doc. I, Part 2 (Washington: Government Printing Office, 1894), I, 140-145.

that he was wanted by the Special Rangers.<sup>34</sup>

During the last phase of the Garza affair, Wells' activities are difficult to trace. His children recalled seeing many Mexican-Texans at the back gate of their home, at night, apparently giving information about Garza.<sup>35</sup> Among Wells' papers is a list of thirty names, including that of Catarino Garza, all of whom were eventually killed or arrested as revolutionaries.<sup>36</sup> The compilation combined with the recollections indicate that Wells may have operated an intelligence service for the Rangers.

During the years of the Garza troubles, Wells had little time to consider political matters outside the Valley. Although he seldom missed a state political convention after his selection as an elector in 1884, he rarely became involved in state politics. Rather, he made considerable effort to cultivate friendships over the state and to ally himself with those of kindred economic philosophy. One such person of future political prominence was young Charles A. Culberson of Jefferson, Texas. First meeting in February, 1886, when Culberson asked him to look into his chances for winning Valley support in the state attorney general race, Wells agreed to promote Culberson's candidacy whenever he

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<sup>34</sup>Brownsville Daily Herald, April 14, 1902.

<sup>35</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>36</sup>Undated list of names, Wells Papers.



desired to run.<sup>37</sup> The Jefferson attorney received solid support from the Valley in his successful 1890 campaign, and the friendship of the two was further solidified in 1892 when Wells used his influence to secure an appointment for Culberson's brother, R. V., as United States district attorney for western Texas.<sup>38</sup>

Wells' debut as a significant participant in state politics came in 1892. At that time, he allied himself with a faction of the Texas Democratic Party in opposition to the Railroad Commission. Led by George Clark, the coalition, consisting of railroad men, bankers, businessmen, land agents, ranchers, and politicians, maintained that government regulation of industry violated basic property rights. Hoping to gain control of the party leadership and, through it, to restrict the commission's activities, this faction bid fair to defeat James Stephen Hogg in his quest for a second term as governor.

Charging that Hogg's administration drove capital from Texas, thereby hampering the expansion and development of industry and railroads, George Clark announced for governor on February 13, 1892.<sup>39</sup> His campaign manager, R. B. Parrott,

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<sup>37</sup>Charles A. Culberson to J. B. Wells, February 28, 1886, and April 9, 1889, Wells Papers.

<sup>38</sup>R. V. Culberson to Jules Lascondon, March 5, 1894, Wells Papers.

<sup>39</sup>Alwyn Barr, Reconstruction to Reform: Texas Politics 1876-1906 (Austin: University of Texas Press, 1971), p. 131.



soon asked Wells, a new member of the Democratic State Executive Committee, to speak, to write editorials, and, generally, to direct the campaign in behalf of Clark in South Texas.<sup>40</sup> Since he was laboring to attract capital and a railroad into the Valley, Wells threw his complete support to Clark, directing the Valley counties to instruct their convention delegations for him.<sup>41</sup>

Meeting in Houston in mid-August, the Democratic State Convention was the scene of a party rupture. Having been beaten in his quest for delegates, Clark, in a desperate move to win convention approval, decided to have his supporters pack the convention and nominate him viva voce. Knowing full well that such a scheme would cause a party split, he maneuvered to have it initiated by the Hogg forces.<sup>42</sup> The strategem failed, and the Clark supporters then bolted and nominated Clark as an Independent Democrat. Wells, however, refused to bolt; he preferred to accept the mandate of the majority and work from within to convert it to his views.

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<sup>40</sup>R. B. Parrott to J. B. Wells, April 21, 1892, Wells Papers.

<sup>41</sup>S. A. Brito (Cameron County sheriff) to William R. Hamby (Hogg campaign chairman), August 12, 1892, Letters Received, Vol. XXVIII, p. 110, Hogg Papers.

<sup>42</sup>Rupert Norval Richardson, Colonel Edward M. House: The Texas Years, 1858-1912 (Hardin-Simmons University Publications in History, Vol. I; Abilene, Texas: Abilene Printing and Stationery Co., 1964), p. 53; Ernest W. Winkler, (ed.), Platforms of Political Parties in Texas (Austin: University of Texas Bulletin, No. 53, 1916), pp. 316-326.

The climax of the regular convention occurred when the nominating roll call reached Cameron County. In a clear, deep, resonant voice, Wells cast twelve votes for George Clark. Hogg delegates, exasperated by the Clark bolt, attempted unsuccessfully to oust Wells, who insisted on his right to vote as instructed but declared his willingness to abide by the result of the ballot.<sup>43</sup> Hogg, of course, was the Convention nominee.

A few days after the Convention, Sheriff Santiago A. Brito, an implacable rival of Wells for control of the Blue Club, was assassinated on the outskirts of Brownsville.<sup>44</sup> A Hogg supporter, Brito had organized and led the opposition to Clark and Wells in Cameron County.<sup>45</sup> Although Wells was in no way connected with the murder, Sam P. Wreford and W. H. Mason, of the Brito faction, hinted, for political advantage, that he was responsible. By accepting the mandate of the Democratic State Convention, Wells, however, nipped this bit of skullduggery in the bud. His antagonists then formed a Hogg Club and backed a "Citizens Ticket," the first, they claimed, to be published in English in Brownsville.<sup>46</sup>

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<sup>43</sup>Davenport, "Life of James B. Wells," p. 10, Davenport Papers.

<sup>44</sup>Joe Shely (Brownsville) to J. B. Wells, August 22, 1892, Wells Papers.

<sup>45</sup>Brito to Hamby, August 12, 1892, Hogg Papers.

<sup>46</sup>Daily Cosmopolitan (Brownsville, Texas), October 31, 1892.



As their principal strategy, they emphasized that only ignorant men followed Wells' dictates.

The contest in the Valley between Hogg and Clark was especially bitter. It divided Democrats, thereby making a Populist-Republican coalition victory a strong possibility. As a loyal regular Democrat, Wells, however, was able to bring many of the Clark men, whose friendship and esteem he had managed to retain, back into the party.<sup>47</sup> Moreover, rumors that the Clark Executive Committee intended to run R. B. Rentfro against Congressman W. H. Crain offended many other Clark supporters who consequently became receptive to Wells' overtures.<sup>48</sup> Helping to mend the Party split was for Wells very satisfying, and, it apparently earned for him the grudging admiration of at least one Hogg backer -- E. M. House.

Turning his attention to local politics, Wells was especially concerned about a move to unseat state Senator E. A. Atlee who was now an ally. D. McNeill Turner of Corpus Christi, a lawyer and former district attorney, unaware that Atlee and Wells had joined forces, requested Wells' endorsement of John S. McCampbell for the senate. Turner implied that McCampbell had garnered already enough support to

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<sup>47</sup>Davenport, "Life of James B. Wells," p. 10, Davenport Papers.

<sup>48</sup>Joseph Ryan (unidentified) to J. B. Wells, August 29, 1892; J. E. McComb (Houston) to J. B. Wells, October 29, 1892, Wells Papers.



secure the nomination.<sup>49</sup> Somewhat skeptical, Wells, hoping to make Turner complacent, advised his friends in the lower counties to let Turner think he had their votes.<sup>50</sup> At the district senatorial convention, Wells controlled sixteen of the thirty-one votes and cast them for Atlee. An infuriated Turner insisted that no convention had been held.<sup>51</sup>

On November 1, 1892, one week before the general election, Turner astounded Valley Democrats by announcing his independent candidacy for district judge. Backed by John S. McCampbell and Robert J. Kleberg, he proclaimed that he was running "to vindicate his friends and show to the people that Jim Wells didn't quite own this country."<sup>52</sup> Furthermore, he charged that incumbent John C. Russell, if reelected, intended to resign soon afterward so that Wells could control the appointment of a replacement.<sup>53</sup> Reiterating the indictment, W. S. "Toots" Dougherty, editor of the Brownsville Daily Cosmopolitan and an avowed anti-Wells protagonist, claimed that Turner had exposed "the greatest fraud of the

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<sup>49</sup>D. McNeill Turner to J. B. Wells, June 4 and 7, 1892, Wells Papers.

<sup>50</sup>J. R. Monroe (Rio Grande City) to J. B. Wells, June 10, 1892, Wells Papers.

<sup>51</sup>The Galveston Weekly News, September 8, 1892, Wells Papers.

<sup>52</sup>G. R. Scott (Corpus Christi) to J. B. Wells, November 1, 1892, Wells Papers.

<sup>53</sup>Jeff McLemore (Corpus Christi) to J. B. Wells, November 3, 1892, Wells Papers.

campaign."<sup>54</sup>

Since the attack came so near election day, Wells and his followers were hard-pressed to refute Turner's accusations. The Brownsville press was under the control of anti-Wells forces; it was too late to found a new paper; and the only other influential journal in the region was the Corpus Christi Caller, owned by the Kings and Klebergs who were financing the Turner campaign.<sup>55</sup> Unexpected help came, however, when the editor of the Caller, Jeff McLemore, a future congressman, decided to oppose his employers and help Russell. Refusing to carry propaganda issued by Turner, McCampbell, and Wreford, McLemore advocated the reelection of Russell as the best qualified candidate.<sup>56</sup> Wells' friendship for and support of McLemore dated from this editorial stand.

With McLemore looking after the press campaign, Wells once again made a personal canvass among his back country ranchero friends. By election day, he could wire the Governor that "Hogg and pure democracy will receive a handsome majority. . . ."<sup>57</sup> As it turned out in the Valley, Russell

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<sup>54</sup>The Daily Cosmopolitan (Brownsville, Texas), November 7, 1892.

<sup>55</sup>G. R. Scott to J. B. Wells, November 3, 1892, Wells Papers.

<sup>56</sup>Jeff McLemore to J. B. Wells, November 3, 1892, Wells Papers.

<sup>57</sup>J. B. Wells to James S. Hogg, November 7, 1892, Letters Received, Hogg Papers.



easily won over Turner and W. H. Crain handily outdistanced Calvin Brewster. Although he faced strong opposition in Hidalgo County and lost in Starr County, Hogg narrowly prevailed in the region.<sup>58</sup> In Hidalgo County the Doughertys "corralled" enough votes to win after the Closner-Wells faction declined to support William P. Dougherty for county judge.<sup>59</sup>

With the re-election of Grover Cleveland, in 1892, Wells regained control of patronage in the Valley. In the Blue Club, however, he found no consensus regarding appointments; each leader had his own ideas.<sup>60</sup> When the bickering became publicly noticeable, the editor of The Daily Metropolitan carped that Wells' unfair division of spoils was creating a schism.<sup>61</sup> Faced with this dilemma, Wells left Rentfro Republican appointees undisturbed until Democrats agreed upon replacements.<sup>62</sup>

The fever of the campaigning during 1892 left Wells

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<sup>58</sup>The Galveston Weekly News, November 10, 1892; George W. Smith, Biennial Report of the Texas Secretary of State, 1892 (Austin: Ben C. Jones & Co., State Printers, 1893), pp. 56, 92-98, 116.

<sup>59</sup>Unsigned to J. B. Wells, November 15, 1892, Wells Papers.

<sup>60</sup>Thomas Carson (Mayor, Brownsville) to J. B. Wells, telegram, n.d. [1893], Wells Papers.

<sup>61</sup>The Daily Metropolitan (Brownsville, Texas), August 22, 1893.

<sup>62</sup>W. S. Dougherty (Customs Inspector, Edinburg) to J. B. Wells, January 5, 1894; Crain to J. B. Wells, March 13, 1894, Wells Papers.



with an exceedingly bitter opposition press. Editor John P. Smithwick of the Brownsville Republican Daily Metropolitan rarely missed an opportunity to belittle Wells. On one occasion, he caustically noted that:

Honorable J. B. Wells has arrived in Corpus Christi and is welcomed by thousands of friends who are only too glad to take him by the hand. It is truly a pleasure to hear that much, still I would be more pleased if he would modify that snake story a little, so it could be swallowed even if a little salt had to be used.<sup>63</sup>

Smithwick generally followed the lead of H. A. Maltby, editor and owner of the Daily Lower Rio Grande and another persistent critic of Wells. Maltby had an old score to settle. After Wells had refused to consider him for Brownsville postmaster in 1886, Maltby had become an inexorable antagonist and, whenever possible, excoriated Wells and machine politics.<sup>64</sup> He appears to have been principally responsible for convincing the general populace that Wells was an iron-fisted, vindictive political czar.

Also, partially responsible for Wells' growing unpopularity was his association with W. H. Crain. After announcing that he would run for a sixth term, Crain proceeded to antagonize "silver" Democrats in the upper counties by voting in 1893 for repeal of the Sherman Silver Purchase

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<sup>63</sup>The Daily Cosmopolitan (Brownsville, Texas), August 27, 1893.

<sup>64</sup>H. R. Maltby to J. B. Wells, November 17, 1886, Wells Papers.

Act.<sup>65</sup> His explanation that he did not believe that the 16:1 ratio would establish parity and that he had voted for Richard Bland's 20:1 ratio was played down by hostile newsmen who hoped the incident would lead to Crain and Wells' defeat in 1894.<sup>66</sup> Later, when Crain endorsed Cleveland's use of troops in the Chicago Pullman strike, some of Wells' friends urged him to abandon Crain.<sup>67</sup> As Crain's unpopularity grew, rumors abounded that Wells would run for Congress. When Crain asked if they were true, Wells mildly chided him for his lack of faith and reassured him that "there are no 'ifs' in true friendship."<sup>68</sup>

In Starr County, where considerable opposition to Crain had surfaced, Wells negotiated an alliance between Manuel Guerra of Roma and Wash Shely of Rio Grande City, the leaders of two powerful factions. Built upon a division of patronage and county offices, the accord gave Wells reason to hope that the Democrats might gain control in Starr

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<sup>65</sup>Crain to James S. Hogg, September 14, 1894, Letters Received, XXXII, 225, Hogg Papers; U. S., Congressional Record, 53d Cong., 1st Sess., 1893, XXV, 3067.

<sup>66</sup>McLemore to J. B. Wells, December 27, 1893, Wells Papers.

<sup>67</sup>Ibid.; McLemore to J. E. Elgin (Rockport), December 27, 1893, Wells Papers; U. S., Congressional Record, 53d Cong., 2d Sess., 1894, XXVI, 7082.

<sup>68</sup>J. B. Wells to Crain, January 2, 1894, Letterpress, June 20, 1893 to January 24, 1894, Wells Brownsville Papers, Texas Southmost College Library (hereafter cited as Wells Brownsville Papers).



County.<sup>69</sup>

Meanwhile, patronage disputes continued to upset the Blue Club. William Kelly, Robert Dalzell, Joseph Kleiber, and some others threatened to support the opposition unless their views prevailed.<sup>70</sup> Moreover, E. C. Forto and James A. Brown, whose nominee for Brownsville postmaster had been rejected because he publicly characterized Wells as "the ring-leader of the machine," were actively inciting sedition.<sup>71</sup> Eventually, however, Wells, with the help of Thomas Carson and Joseph Webb, either mollified or evicted the discordant leaders.<sup>72</sup>

Despite his dominance of the Blue Club, Wells still experienced great difficulty in getting Crain renominated and re-elected in 1894. The Congressman's vote for the demonetization of silver, his habit of getting drunk and talking too much and too rough, and his support of Wells in all patronage disputes had angered many Democrats. Only in Hidalgo and Starr counties, where Wells had given patronage preference to Closner, Guerra, and Shely, were Democrats solidly behind Crain. Maltby observed dryly, "Wells wants to keep

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<sup>69</sup>M. Guerra to J. B. Wells, January 28, 1894, Wells Papers.

<sup>70</sup>Thomas Carson to J. B. Wells, March 22, 1894; Joseph Webb to J. B. Wells, March 28, 1894, Wells Papers.

<sup>71</sup>Crain to E. C. Forto and James A. Browne, April 9, 1894, Wells Papers.

<sup>72</sup>Ibid.



Crain in Congress and Crain wants to let Wells disburse all the chicken pie, one good turn deserves another."<sup>73</sup>

Observing that Crain lost support wherever he campaigned, Wells persuaded him to stay out of the lower three counties. This, perhaps, was the deciding factor in the contest. In the general election, Crain defeated the Populist candidate, V. Weldon of Cuero, by only 1,500 votes in the twenty-seven county district, but he received a majority of over three thousand votes in Cameron, Hidalgo, and Starr counties. Maltby charged that the "Mexicans," upon Wells' admonition, had carried Crain to victory.<sup>74</sup>

In addition to Crain, other Wells favorites were victorious. E. A. Atlee was re-elected to the State Senate, and Jeff McLemore of Corpus Christi, F. W. Seabury, and J. R. Monroe of Rio Grande City were elected state representatives.

During the campaign, Wells also worked for a gubernatorial candidate. Having confidentially asked for and received his support, Charles Culberson relied upon the Valley Jefe to canvass for him along the Rio Grande.<sup>75</sup> Wells had

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<sup>73</sup>Daily Lower Rio Grande (Brownsville, Texas), April 17, 1894.

<sup>74</sup>Galveston Daily News, November 11 and 15, 1894; George W. Smith, Biennial Report of the Texas Secretary of State, 1894 (Austin: Ben C. Jones & Co., State Printers, 1895), pp. 246-247. Daily Lower Rio Grande (Brownsville, Texas), November 26, 1894.

<sup>75</sup>Culberson to J. B. Wells, February 20 and April 25, 1894, Wells Papers.

little difficulty in getting the Valley counties to nominate Culberson and then vote for him in the general election.<sup>76</sup>

As a by product of the campaign, Wells and Culberson's manager, E. M. House, became close friends, a relationship that for both later paid rich dividends.

After his inauguration, Culberson relied upon House to recommend personnel for vacant state positions. Realizing that appointments often provoked as many people as they pleased and not caring who held the positions, House asked Wells to recommend hide and animal inspectors, quarantine officers, and harbor pilots.<sup>77</sup> Wells, in turn, deferred to the wishes of Closner, Guerra, Shely, and the Blue Club.<sup>78</sup> In Duval County, where James Luby had amassed solid Republican majorities in 1892 and 1894, patronage was placed in the hands of Archie Parr, a Benavides cattleman, who organized Democratic Party machinery there.<sup>79</sup>

In 1895, during the regular session, the mildly reformist Twenty-fourth Legislature received a petition calling for an investigation of Wells' political methods. Submitted

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<sup>76</sup>Richardson, Colonel House, pp. 73, 84, 85; Smith, Biennial Report, 1894, pp. 249-252.

<sup>77</sup>Culberson to J. B. Wells, January 28, 1895; House to J. B. Wells, January 26 and 28, and February 5, 1895, Wells Papers.

<sup>78</sup>M. Guerra to J. B. Wells, January 8, 1895; W. W. Shely to J. B. Wells, January 1, 1895, Wells Papers.

<sup>79</sup>Crain to J. B. Wells, January 19, 1895; Archie Parr to J. B. Wells, March 7, 1895, Wells Papers.



by Ben Kowalski, a Forto aide, the petition charged that Wells had obtained Crain votes by bringing in alien voters and by promising county school positions to illiterate peóns. The petition disturbed Representative Will Seabury who wrote Wells that men, such as Representative John N. Garner of Uvalde, were proposing legislation to prevent the voting of "Mexicans." Also anxious, Culberson and House sent out a hurried call for Wells to hasten to Austin.<sup>80</sup> Wells journeyed forthwith to the state capitol.

Two suffrage reform bills worried Wells and his friends. The first provided for a secret ballot and allowed only one judge at each election box to assist illiterate voters. Estimating that one judge would need three to five minutes for each voter, Seabury felt the bill would limit the number of illiterate voters at any one box to approximately two hundred per day.<sup>81</sup> In his straightforward manner, Archie Parr lamented that it "will stop our Mexicans from voting."<sup>82</sup> Although the bill was reported favorably by the Judiciary Committee, Wells, McLemore, Monroe, and Seabury lobbied against it, and it was defeated in the lower house.<sup>83</sup>

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<sup>80</sup>Texas, Legislature, House Journal, 24th Leg., Reg. Sess., pp. 232, 295, 322; F. W. Seabury to J. B. Wells, January 16 and 23, 1895, Wells Papers.

<sup>81</sup>Ibid.

<sup>82</sup>Parr to J. B. Wells, March 7, 1895, Wells Papers.

<sup>83</sup>Texas, Legislature, House Journal, 24th Leg., Reg. Sess., pp. 13, 222-223, 310, 401.



The second reform was directed against the use of Mexican "naturalized" voters. Reformers wanted a constitutional amendment that would require foreigners to file for citizenship at least six months prior to voting in a election. Although Wells was unable to block a favorable vote in the legislature and the amendment was subsequently approved by the people, the Valley experienced, as a result, no real political change.<sup>84</sup>

In addition to asking for suffrage reforms, Wells' political opponents petitioned the legislature to remove District Judge John C. Russell for misconduct on the bench. In a memorial, signed by H. E. Woodhouse, H. A. Maltby, Sam P. Wreford, R. B. Rentfro, and others, the complainants charged that Russell was frequently drunk on the bench, that he had offered to fight a lawyer in Hidalgo, that he had attacked a woman while in a state of intoxication, and that he had ". . . visited the House of one Sallie Commanche . . . and there called off the dances while clad and unclad strumpets . . ." danced the quadrille.<sup>85</sup> The petition and a similar memorial from J. P. Kelsey and nine others from Rio Grande City were read in the House of Representatives

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<sup>84</sup>Ibid., pp. 633, 724, 995; Allison Mayfield, Biennial Report of the Secretary of State of Texas, 1896 (Austin: Ben C. Jones & Co., State Printers, 1897), p. 60

<sup>85</sup>"Memorial from Citizens of Cameron County and Others," introduced by Rhodes of Van Zandt County, copy, February 23, 1894, Wells Papers.

and referred to the Committee on State Affairs. After an investigation, a subcommittee reported that the charges were without foundation and that Russell was being harassed because of his friendship for Wells.<sup>86</sup> The legislature thereupon dropped the matter. Because Russell had backed him loyally against Rentfro in the 1890 Hidalgo County struggle and because he could rely upon his support, Wells worked to keep the Judge on the bench until his retirement in 1897.

In February, 1896, when W. H. Crain died of pneumonia, Wells encountered difficulty in his efforts to control his replacement.<sup>87</sup> Crain had been Wells' most important ally, his voice in Washington, and his source of patronage. Fearing a call for a special election before a replacement who understood the uniqueness of Valley politics could be found, Wells asked House to persuade Governor Culberson not to order an immediate special election.<sup>88</sup> When Culberson ruled that an early election was mandatory, Wells reminded him that the election code left the date of special elections to the discretion of the governor and urged that it

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<sup>86</sup>Texas, Legislature, House Journal, 24th Leg., Reg. Sess., pp. 93, 247, 322, 327.

<sup>87</sup>J. B. Wells to W. W. Shely, February 10, 1896; J. B. Wells to Closner, February 10, 1896, Wells Brownsville Papers.

<sup>88</sup>J. B. Wells to House, February 17, 1896; J. B. Wells to Culberson, February 17, 1896, Wells Brownsville Papers.



take place at the next general election.<sup>89</sup> Culberson, however, disregarded his plea and called the election for April, 1896.

Contemplating making the race for the vacant position, Wells had two form letters composed which "drafted" him for the office.<sup>90</sup> He then approached Robert J. Kleberg who had indicated his opposition to Wells' political predominance. During the meeting, the two agreed to run Robert's brother, Rudolph Kleberg of Cuero.<sup>91</sup> But, Rudolph Kleberg, uncertain of his chances, was hesitant. To assuage his doubts, Wells instructed Closner, Guerra, Shely, and others to pledge their unwavering support, and advised Robert to have Rudolph immediately announce his candidacy, noting that "such offices are not forced upon anyone."<sup>92</sup>

Working quickly, Wells had nominating conventions called early in Cameron, Hidalgo, and Starr counties. On March 18, all three strongly instructed for Rudolph Kleberg and, for

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<sup>89</sup>J. B. Wells to Culberson, February 18, 1896, Wells Brownsville Papers.

<sup>90</sup>Two form letters, n.d., no signature, Wells Brownsville Papers.

<sup>91</sup>J. B. Wells to Robert J. Kleberg, February 18, 1896, Wells Brownsville Papers.

<sup>92</sup>J. B. Wells to W. W. Shely and Closner, February 25, 1896; J. B. Wells to Robert J. Kleberg, March 1, 1896, Wells Brownsville Papers; J. B. Wells, W. W. Shely, and Closner to Rudolph Kleberg, February 27, 1896, Rudolph Kleberg Papers, Library, University of Texas (hereafter cited as Rudolph Kleberg Papers).



political effect, telegraphed the results to each of the other counties in the congressional district.<sup>93</sup> To placate hostile leaders, including Sheriff Emilio Forto of Brownsville, business association, when all else failed, was successful. A purchase of county scrip by Wells from Forto two days before the election procured an estimated three hundred votes for Kleberg, pushing his majority in Cameron County to 1,850.<sup>94</sup> In reference to Hidalgo and Starr counties where Kleberg's majorities were seven hundred and eight hundred votes, respectively, Wells boasted that "we have made a glorious fight from start to finish, one that we can be proud of as long as we live."<sup>95</sup> Since Robert J. Kleberg controlled the vote in Nueces, Duval, and De Witt counties, the campaign ended in an easy victory for Rudolph Kleberg. Kleberg assumed office at once but would have to stand for reelection in November for a full term of his own.

During the summer, strong resistance to Kleberg developed. John C. Beasely of Beeville, J. O. Nicholson of Laredo, and Robert and John Pleasants of De Witt County organized the opposition.<sup>96</sup> Wells proceeded as usual, having

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<sup>93</sup>J. B. Wells to Rudolph Kleberg, March 19, 1896, Rudolph Kleberg Papers.

<sup>94</sup>J. B. Wells to R. J. Kleberg, April 9, 1896, Wells Brownsville Papers.

<sup>95</sup>Ibid.

<sup>96</sup>J. B. Wells to Rudolph Kleberg, July 3, 1896, Wells Brownsville Papers.

the river counties, in convention, instruct for Kleberg, Russell, and Culberson. Convention resolutions also denounced Populist efforts to disfranchise "our fellow citizens of Mexican extraction," and called for a bimetallic money system, "but only on grounds of basic intrinsic value as money and exchangeable value as determined by international agreement."<sup>97</sup> Writing House about the county conventions, Wells added, "Three cheers for Royal Charlie and yourself."<sup>98</sup>

In addition to himself, Wells succeeded in getting the lower three Valley counties to name E. M. House as proxy delegate to the various nominating conventions. Enclosing his credentials in a letter, the Valley Jefe assured House that his object was "to do all in my power for you and our friends, . . ." and gloated, "No one else will attend, consequently we will have all of the glory to ourselves."<sup>99</sup>

In a rare exposition on regional politics, Wells also enclosed an explicit set of instructions for managing the conventions in case he was unable to attend. Explaining that the three Lower Valley counties had sixteen of the thirty-one senatorial district votes and that he had con-

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<sup>97</sup>Convention Resolutions, Document Book, Vol. III, Wells Brownsville Papers.

<sup>98</sup>J. B. Wells to House, August 8, 1896, Wells Brownsville Papers.

<sup>99</sup>Ibid., August 14, 1896.

trolled all sixteen since 1892, he advised House that he expected to be named to the State Executive Committee. Asking the Colonel to stand by Atlee and to assign no convention or committee position to Nicholson of Laredo or the Pleasants of Cuero, he commented about the latter, "I have done all in my power to conciliate, and I shall now devote myself to doing all I can to crush, and I am too old a frontiersman to ever think of wounding a snake."<sup>100</sup>

On the prevailing national political issue, Wells was equally clear. Disclosing to House that he was still as much a gold or sound money man as he had been in 1892, he decried the "Holier than Thou" crowd, opposing bimetallism and "calling themselves Democrats but aiding the enemy or deserting; . . . if the 'free silver' men are right, they should and will win, and we will be none the less Democrats for having been true to our convictions and having always abided the action of the majority of the party."<sup>101</sup>

As the congressional convention approached, Robert Pleasants of DeWitt County and John N. Garner of Uvalde sedulously backed A. B. Davidson of Cuero against Rudolph Kleberg.<sup>102</sup> It was at this time that Wells began to appreciate Garner's fiery loyalty to his friends and to the party

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<sup>100</sup>Ibid.

<sup>101</sup>Ibid.

<sup>102</sup>Rudolph Kleberg to J. B. Wells, August 24, 1896, Wells Papers.



and resolved to bring him into the Kleberg camp. After Davidson lost the nomination, Wells asked Garner to solicit the support of Tom A. Coleman of La Salle County, Amador Sanchez of Laredo, and others for Kleberg.<sup>103</sup> Garner agreed, and his support effectively mitigated the hostile influence of J. O. Nicholson in the upper, western counties.

During the critical days just prior to the election, the campaign funds were exhausted. Having mortgaged all of his cattle and horses to Robert J. Kleberg for money to meet his personal debts, Wells could not make additional contributions. He managed to raise only \$1,000.00 in Culberson's behalf, and had to rely upon Kleberg to finance his brother's race, especially in Duval County where money was necessary to "corral" the vote.<sup>104</sup> Nevertheless, in the race against Republican H. Gras, Kleberg won eleven of the twenty-nine counties and in the district a plurality of about 3,500 votes. His Valley majority of slightly more than 2,600 votes, however, was considerably less than the almost 60 percent of the vote he had received in the special elec-

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<sup>103</sup>J. B. Wells to John N. Garner, October 12, 1896, Wells Papers.

<sup>104</sup>J. B. Wells to R. J. Kleberg, October 19, 1896, and November 11, 1896, Wells Brownsville Papers; Richardson, Colonel House, p. 117.

tion.<sup>105</sup>

Honest but naive, Rudolph Kleberg was soon in political trouble. Some of his appointments, made without counseling with Wells, angered a number of his supporters. Taking advantage of growing resentment, John H. Bailey of Beeville organized Republicans, Populists, and McKinley Democrats in the upper part of the district for the purpose of defeating Kleberg in 1898.<sup>106</sup> This action, a general depression in the Valley, and a lack of personal funds caused Wells and Robert J. Kleberg to withdraw their support also. More than a year before the next election, Robert informed Rudolph of their decision, giving as the major reason that a "democratic nomination even for him [Rudolph] did not mean election . . . money would be needed and we . . . do [not] have it to spend."<sup>107</sup>

In connection with the shortage of money, Wells journeyed to Austin to lobby with the Twenty-fifth Legislature. He had been asked by his principal creditor, Francis Smith, Caldwell and Company, to seek a change in statutes regulating the use of county scrip. Since scrip could be purchased at

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<sup>105</sup>The Galveston Daily News, November 9, 1899; San Antonio Daily Express, clipping, Rudolph Kleberg Papers; Allison Mayfield, Biennial Report of the Texas Secretary of State, 1896 (Austin: Ben C. Jones & Co., State Printers, 1897), pp. 62-63.

<sup>106</sup>J. W. Baker (Cuero) to Rudolph Kleberg, May 30, 1897, Wells Papers.

<sup>107</sup>Ibid. Notation by R. J. Kleberg appended to letter.

less than face value, Wells annually purchased thousands of dollars of low cost county scrip with which the King Ranch, the Kenedys, and other large landed clients paid their county taxes, thereby making substantial savings. However, since no statute required county governments to accept scrip in payment of taxes, the loan company wanted a guarantee that the scrip would be redeemable at par.

On February 1, 1897, a bill that permitted the payment of all county ad valorem taxes in county scrip was introduced by Senator E. A. Atlee. Expertly managed by Atlee and F. W. Seabury, the bill was reported favorably by committee in both houses and adopted.<sup>108</sup> Hearing a rumor that the governor would veto the bill, Francis Smith, Caldwell and Company, which planned to buy up all available scrip in Hidalgo County, asked Wells to see Culberson.<sup>109</sup> The governor, however, refused to meet with him and vetoed the bill despite Wells' prediction that the action would "bankrupt all our frontier counties and half the counties in the state."<sup>110</sup> Wells thereupon asked Atlee, Turner, and other members of the leg-

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<sup>108</sup>Senate Bill 121, February 1, 1897, copy, Wells Papers; Texas, Legislature, House Journal, 25th Leg., Reg. Sess., pp. 862, 1175.

<sup>109</sup>Francis Smith, Caldwell and Company to J. B. Wells, May 4, 1897, Wells Papers.

<sup>110</sup>J. B. Wells to John H. Bailey, May 4, 1897, Wells Brownsville Papers.



islature to override the governor's veto.<sup>111</sup> When the attempt failed, Francis Smith, Caldwell and Company ordered Wells to stop all purchases of scrip.<sup>112</sup>

Then, a few weeks later, the Twenty-fifth Legislature, during a special session, forbade the further payment of any county taxes in scrip.<sup>113</sup> By letter, Wells pleaded unsuccessfully with Culberson to veto the bill. But, not until after John C. Russell resigned as district judge in September, 1897, did he learn the reason for the Governor's coolness.<sup>114</sup> At that time, Culberson refused Wells' request to delay filling the position because, he said, "loyal Democrats" in Brownsville demanded immediate action.<sup>115</sup> When pressed to identify the "loyal Democrats," the Governor replied that he had learned from Sam P. Wreford and others the "true" story of Wells' "illegal" political methods, but that, even so, he would consult with him and Robert J. Kleberg be-

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<sup>111</sup>J. B. Wells to Floyd Schock, Ben Ayers, John H. Bailey, D. McNeill Turner, and E. A. Atlee, May 7, 1897, Wells Brownsville Papers.

<sup>112</sup>Francis Smith, Caldwell and Company to J. B. Wells, May 6, 1897, Wells Papers.

<sup>113</sup>House Bill 26, June 14, 1897, copy, Wells Papers; Texas, Legislature, House Journal, 25th Leg., Reg. Sess., pp. 165, 181, 228.

<sup>114</sup>Thomas Carson to J. B. Wells, June 24, 1897, Wells Papers.

<sup>115</sup>J. B. Wells to Charles A. Culberson, September 22, 1897, Wells Brownsville Papers.

fore making the appointment.<sup>116</sup>

Wells and Kleberg apparently convinced Culberson that Wreford's "true" story was but merely an illustrative example of Brownsville factional petulance.<sup>117</sup> At least, in October, Culberson appointed Wells to Russell's unexpired term. "Deeply sensible of the sincere friendship and confidence that prompted it," Wells accepted the commission and served as district judge for fourteen months.<sup>118</sup>

During his short judicial career, Wells almost renounced politics. He confessed that he preferred the contemplative life of a scholar and disclosed to his family that he had never liked politics and the concomitant worry, lost time, frequent danger, and personal financial loss. Since for lack of funds his family had often been denied simple luxuries, he had pangs of guilt for squandering his income on self-serving office-seekers. Furthermore, his wife and children had constantly begged him to give up politics and devote his time and effort to his family and his profession.<sup>119</sup> Nevertheless, his creditors, as we have seen, desired his return to politics, and their appeals prevailed.

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<sup>116</sup>Ibid., September 22, 1897, Wells Brownsville Papers; Culberson to Wells, September 23, 1897, Wells Papers.

<sup>117</sup>J. B. Wells to Culberson, September 24, 1897, Wells Brownsville Papers.

<sup>118</sup>J. B. Wells to Culberson, October 9, 1897, Wells Brownsville Papers.

<sup>119</sup>Robert C. Wells to Baulch, interview, July 9, 1973.



For a time, Wells was too busy with judicial duties to engage in politics.<sup>120</sup> Unable to attend a February, 1898, meeting of the State Democratic Executive Committee called to devise a test for voting in the party primaries, he made certain through the press that his views were known. He opposed a statewide test, asserted that the State Executive Committee was without any power, except to designate the place and the date for holding state conventions and elections, and maintained that any man who pledged to abide by the national party platform and to support party nominees had a right to participate in all party primaries and conventions.<sup>121</sup> His arguments proved popular and inspired party leaders throughout the state to regard him as a major candidate for state chairman of the Democratic Party.

Wells' silence about the political races worried E. M. House. Although House was backing Joseph Draper Sayers for the governorship in 1898, Wells refused to commit himself. Apparently, he considered it best to concentrate on his judicial affairs. House, however, expected him to continue his political activity. He wrote Judge Wells in April, 1898, that he had learned that John C. Beasely of Beeville was

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<sup>120</sup>Culberson to J. B. Wells, February 21, 1898, Wells Papers; J. B. Wells to Culberson, February 21, 1898, Wells Brownsville Papers.

<sup>121</sup>The San Antonio Daily Express, January 31, 1898; J. B. Wells to B. F. McNulty, February 22, 1898, Wells Brownsville Papers.



spreading a rumor that Wells was supporting Martin McNulty Crane for governor. He wanted an affirmation or denial of the allegation and importuned Wells to endorse Sayers.<sup>122</sup> Two personal requests from Sayers followed.<sup>123</sup>

The letter got results. In May, Wells plunged unconditionally back into politics. He signified his support of Sayers, informed House of several appointments he wanted made along the border, and added, almost as an afterthought, that "I feel that you know how fully and gladly I am with you in all things."<sup>124</sup> Concluding that Sayers would now be a certain winner, a delighted House pledged to Wells in return that, "since no one in Texas knows the conditions in that country better than yourself," all his patronage requests would receive prompt consideration.<sup>125</sup> Shortly thereafter, Sayers began to lobby in Washington for Wells' appointments.<sup>126</sup>

House immediately involved Wells in the Sayers campaign. He asked him to find a man in each county to take charge of local affairs and to hold county conventions early so that Sayers could benefit from "the moral effect of the

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<sup>122</sup>House to J. B. Wells, April 26, 1898, Wells Papers.

<sup>123</sup>Joseph D. Sayers to J. B. Wells, April 28, 1898, Wells Papers.

<sup>124</sup>Richardson, Colonel House, p. 94.

<sup>125</sup>House to J. B. Wells, May 3, 1898, Wells Papers.

<sup>126</sup>Sayers to J. B. Wells, June 29, 1898, Wells Papers.

same."<sup>127</sup> Ironically, the Colonel was urging the use of techniques he had learned in 1896 from Wells.

While preparing for the Sayers campaign, Wells met a young Flatonia cavalry lieutenant, J. F. Wolters, whose company had been ordered to Fort Brown. Wolters wanted to know how to maintain good public relations during the Spanish-American War in Brownsville where a large Spanish colony lived.<sup>128</sup> Impressed with the sagacity and maturity of the young officer, Wells resolved to know him better. Years later, the two became staunch allies in the fight against prohibition.

Once involved in the gubernatorial race, Wells found neutrality in other races impossible. He became particularly interested in the congressional campaign upon learning of a movement to draft him for the nomination. In an interesting bit of strategy, John C. Beasely was endeavoring to persuade the counties north of the Nueces River to send uninstructed, but pro-Wells, delegations to the district nominating convention. The nomination of Wells would eliminate Rudolph Kleberg, and Wells, because he preferred the bench and feared losing Robert Kleberg's business, in turn would refuse the nomination. Beasely would then "permit

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<sup>128</sup>J. F. Wolters to J. B. Wells, July 10, 1898, Wells Papers.

himself to be sacrificed" and enter the race.<sup>129</sup> To counter the move, Wells gave his endorsement to John J. Pleasants of DeWitt County, an old political adversary, for a place on the Civil Court of Appeals in return for help against Beasely. Pleased, John and Robert Pleasants secured enough instructed delegates in the northern counties to assure Kleberg's nomination well before the district congressional convention. Nevertheless, Beasely and his friends planned a convention fight. But District Chairman Wells, certain of victory, bestowed as a sop to the Beasely faction several high convention positions, including that of permanent chairman, in return for a unanimous endorsement of Rudolph Kleberg.<sup>130</sup>

At the subsequent judicial convention, held at Cuero, the new Wells-Pleasants faction was again triumphant. John J. Pleasants was nominated for the Court of Civil Appeals by acclamation. Robert Pleasants wired Wells, who did not attend, that "you always win."<sup>131</sup>

As a result of this successful maneuver, House determined to elevate Wells to greater political responsibility. While planning for the state Democratic Party nominating

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<sup>129</sup>R. J. Kleberg to J. B. Wells, June 25, 1898, Wells Papers.

<sup>130</sup>Scrapbook Article, August 9, 1898, Rudolph Kleberg Papers.

<sup>131</sup>Robert A. Pleasants to J. B. Wells, July 19, 1898, Wells Papers.



convention, which was to meet in August, he wrote Wells that "in the event of your going I desire to name you as our choice for Temporary Chairman of the Convention. You must come to the Convention and you must accept this courtesy from our hands. I desire all Texas to know you as I know you, a democrat par excellence, sans peuret, sans reproach."<sup>132</sup> Striving to assure Wells that his interest was personal, House added that "I get so little out of politics that I hope you will not deny me the pleasure of seeing you preside."<sup>133</sup> Wells presided as temporary chairman. And during the session, he joined Joseph W. Bailey in a minority effort to secure a plank in the platform opposing the acquisition of any territory by the United States as a result of the war with Spain.<sup>134</sup>

Returning to the Valley after the convention interlude, Wells immediately plunged into the general campaign. He began in the northwestern portion of Rudolph Kleberg's district where he hoped to establish party harmony. For years, the area had been plagued by a factionalism that had been adroitly exploited by Republicans and anti-Wells Democrats. Bringing together Atlee, Raymond Martin, Amador Sanchez, and John Valls, Wells helped them settle their differences and or-

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<sup>132</sup>House to J. B. Wells, July 17, 1898, Wells Papers.

<sup>133</sup>Ibid.

<sup>134</sup>The Galveston Daily News, August 2, 1898.

ganize a Democratic coalition in Webb County.<sup>135</sup>

At the opening of the campaign, Wells persuaded C. K. Bell, chairman of the State Democratic Executive Committee, and state Representative John N. Garner to canvass and raise funds for Kleberg in the northwest sector.<sup>136</sup> Bell's involvement was probably due to House's interest, but Garner's participation was because he realized that no Valley politician held office for long without Wells's support. "If there is anything I can do, or any place I can go," Garner declared, "I only await the command."<sup>137</sup>

A few days before the election and two years before the end of his term, Wells came to the conclusion that he no longer could serve as district judge. He explained to Robert J. Kleberg and John G. Kenedy that "My first duty is to my family and those I owe, and I cannot at all meet those obligations with the salary of the office." As his replacement, he, Closner, and Shely suggested Stanley Welch of Corpus Christi who was duly appointed by Governor Culberson.<sup>138</sup>

In the general election, all Wells-backed candidates

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<sup>135</sup> John A. Valls to J. B. Wells, August 9, 1898, Wells Papers.

<sup>136</sup> C. K. Bell to J. B. Wells, October 19, 1898, Wells Papers.

<sup>137</sup> Garner to J. B. Wells, August 18, 1898, Wells Papers.

<sup>138</sup> J. B. Wells to R. J. Kleberg and J. G. Kenedy, October 28, 1898; J. B. Wells to Stanley Welch, October 28, 1898, Wells Papers.

were victorious. Sayers polled 6,202 out of the 6,381 votes cast in the Valley. John Nance Garner of Uvalde, J. R. Monroe of Starr County, and William J. Russell of Brownsville won election to the state House, and E. A. Atlee was returned to the Senate. Although Congressman Kleberg ran behind Sayers in the district, he polled 3,289 of the 5,794 votes cast and won, for the first time, a clear majority in the upper counties.<sup>139</sup>

The final year of the nineteenth century began tragically for Wells. His oldest son was killed in a hunting accident. The grieving father simply could not bring himself to participate in politics, although Joseph W. Bailey, seeking to establish a basis for a senatorial campaign, twice importuned his alliance.<sup>140</sup> Not until September, when John Closner, sheriff of Hidalgo County, was challenged, did Wells again become politically active.

Accusing Closner of abusing his prisoners, W. P. Dougherty, a political rival, called on the Texas Rangers to investigate. After a short probe, Ranger John R. Hughes threatened to make an adverse report to the governor. The worried Closner thereupon appealed to Wells for help, ex-

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<sup>139</sup> Galveston Daily News, November 12 and 18, 1898; J. W. Madden, Biennial Report of the Texas Secretary of State, 1898 (Austin: Von Boeckmann, Moore, and Schutze, 1899), pp. 62, 64-67, 207-208

<sup>140</sup> Joseph W. Bailey to J. B. Wells, April 23, 1899, and October 21, 1899, Wells Papers.



plaining that the men "we have in jail are as guilty as guilty can be. I admit I went a little too far in order to make them confess, but such things are done by every officer on this frontier as you well know, but it is me they want."<sup>141</sup> Fearing suspension, he asked Wells to intervene with Governor Sayers. There is no record of Wells' response, but Closner was not troubled further.

In November, Wells made a decision to continue in power politics. Judge John Pleasants of the Court of Civil Appeals died, and a number of influential men, including Garner and House, immediately notified Wells of their support if he wished to fill the vacancy.<sup>142</sup> Unquestionably, Wells could have had the appointment, but he was not interested and suggested that R. A. Pleasants be named to his late father's position. The choice increased Wells' popularity in the upper counties and solidified behind him the entire congressional district. He was now ready to assume the mantle of state commander of the Democratic Party.

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<sup>141</sup>Closner to J. B. Wells, September 10 and 11, 1899, Wells Papers.

<sup>142</sup>A. J. Bell (Cuero) to J. B. Wells, November 13, 1899; R. A. Pleasants to J. B. Wells, November 15, 1899; Garner to J. B. Wells, November 9, 1899; House to J. B. Wells, November 15, 1899, Wells Papers.

## CHAPTER VI

### RAILROAD DREAMS AND SCHEMES

The Lower Rio Grande Valley of Texas is one of the most suitable regions in the United States for commercial agriculture. Possessing a relatively flat topography which ranges from sea level to two hundred feet elevation, its rich, alluvial soil rivals, in fertility, the Nile Delta. Averaging sixty-two degrees in winter and rarely exceeding ninety-two in summer, its semi-tropical climate provides a growing season of almost year-long duration. The annual rainfall varies from twenty-two to twenty-seven inches.<sup>1</sup>

Development of the Lower Valley for commercial agriculture before 1904 was impractical because of a deficiency in commercial conveyance connecting with outside markets. Rail facilities had not been extended into the region because shipping needs were served for three decades by the Rio Grande, a busy internal trading artery, and connecting sea ports at Brownsville, Matamoros, and Brazos Santiago. Moreover, Mifflin Kenedy, Richard King, and several others, who controlled the river trade, assiduously discouraged any

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<sup>1</sup>Chatfield, The Twin Cities of the Border, pp. 3-6.

other type of transportation development, particularly railroads.<sup>2</sup> After 1872, the Rio Grande, however, became progressively unnavigable and, thus, unsuitable for commercial traffic. When in 1882 the Texas-Mexican Railway was completed between Corpus Christi and Laredo, the trade route shifted from the Lower Valley to the Nueces Bay. Thereafter, only a few ships called at Brazos Santiago; the river boats disappeared from the capricious Rio Grande; the cart and wagon traffic over the old road to Monterrey and beyond thinned out and then faded away. Undeveloped and now by-passed, Brownsville and the Lower Valley commenced a long, twenty-two year economic siesta.

Possessing only the tiny Rio Grande railroad, extending from Point Isabel to Brownsville, the Valley after 1882 was almost completely isolated. The trade that was left was local, insufficient to sustain the large mercantile firms and the population. It was obvious to Wells and other business leaders that the Valley would never recover from its somnolence unless new economic development could be stimulated by the acquisition of rail transportation.

The first effort to secure a railroad began in 1889 when Wells and his partners, Robert J. Kleberg and Robert W. Stayton, organized committees in Brownsville and Corpus

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<sup>2</sup>Thompson, "A Nineteenth Century History of Cameron County, Texas," p. 107.



Christi to plan the endeavor and search for financing.<sup>3</sup> Late that year, Stayton and John B. Armstrong, a Valley rancher, induced Colonel E. H. Ropes of Boston, then developing Port Aransas, to agree to build a standard guage railway between Brownsville and Corpus Christi in return for a bonus of \$150,000.00 and title to terminal depot grounds and right-of-way. Expecting to be the railroad attorneys and, perhaps, envisioning fat fees, Wells and Stayton began immediately to solicit subscriptions.<sup>4</sup> To encourage their exertions, Ropes employed the firm of Wells, Stayton and Kleberg, with an annual retainer of \$1,000.00, as attorneys for his Aransas Pass railroad in Aransas and Nueces counties.<sup>5</sup>

The bonus alone probably would not have interested Ropes. Far more intriguing to him was the fact that Feliciano San Román of Brownsville and Matamoros, a friend and client of Wells, had just acquired a concession to build a railroad from Matamoros by way of Tuxpan and Tehuantepec to a port in Campeche, Tobasco, or Yucatán. The concession terms called for a national government bonus of \$8,000.00 per kilometer in 5 percent bonds, payable after the first five hundred kilometers had been built south of Matamoros.<sup>6</sup> Hoping to

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<sup>3</sup>R. W. Stayton to J. B. Wells, March 29, 1889, Wells Papers.

<sup>4</sup>Ibid., December 8, 1889, Wells Papers.

<sup>5</sup>Ibid., December 19, 1889, Wells Papers.

<sup>6</sup>"Memoranda of Agreement," October 16, 1891, Wells Papers.

gain at least \$4,000,000.00 worth of the bonds and envisioning a railroad extending from Corpus Christi beyond Brownsville, perhaps as far as Panama, Ropes proposed, in 1890, to dredge a channel across Mustang Island to the Gulf of Mexico and to build terminal facilities at Corpus Christi at his own expense if the Wells-Stayton group would help acquire right-of-way, the San Román concession, and financing for the line.<sup>7</sup> It would be his greatest project.

Merely wanting a line of communication to the north, the Valley people were unenthusiastic about the Ropes scheme. Moreover, they doubted that Ropes could obtain San Román's concession. On the other hand, Ropes was highly optimistic. He had learned that United States financiers were not interested in the project, partially because the Mexican government had promised San Román only 5 percent bonds compared to 6 percent bonds granted to other concessionaires. Furthermore, in addition to the five hundred kilometers requirement, San Román was required to deposit \$150,000.00 with the government as surety against default.<sup>8</sup> Confident that San Román could not raise the necessary capital and that he could obtain the concession, Ropes directed Wells to turn over to him all bonus money already

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<sup>7</sup>S. G. Reed, A History of the Texas Railroads and of Transportation Under Spain and Mexico and the Republic and the State (Houston: The St. Clair Publishing Company, 1941), p. 446.

<sup>8</sup>E. H. Ropes to J. B. Wells, June 16, 1890, Wells Papers.



collected and get "five or ten good men [to] agree to see the balanced raised and we will file the charter immediately and begin work."<sup>9</sup> With that, he left for Washington to seek concessions into Central and South America.<sup>10</sup>

In June, 1890, Ropes secured a charter for the Corpus Christi and South American Railway Company (C. C. & S. A.). Regional stockholders included Wells, Stayton, Perry Doddridge, G. R. Scott, and N. Gussett of Corpus Christi, John B. Armstrong of the Chicago Ranch, and Henrietta King. Within a short time, 1,750 shares of stock, valued at \$100.00 each, were subscribed, giving the company potential capital assets of \$175,000.00.<sup>11</sup> Of the more than \$96,000.00 pledged in Brownsville, Wells promised \$3,000.00.<sup>12</sup>

From the beginning, the C. C. & S. A. was enveloped in controversy. Ropes and his chief engineer, D. H. Thayer, chose a route to the west of the King, Kenedy, Armstrong, and Yturria properties, and across 59,000 acres held by Wells and José San Román. Evidently, Ropes expected to approach Feliciano San Román through Wells and José San Román. But the plan failed. A majority of the stockholders of the railroad,

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<sup>9</sup>Ibid., April 2, 1890, Wells Papers.

<sup>10</sup>Stayton to J. B. Wells, April 2, 1890, Wells Papers.

<sup>11</sup>"Committee Report to the President and Board of Directors," n.d. [1890], Wells Papers.

<sup>12</sup>D. H. Thayer to J. B. Wells, August 19, 1890, Wells Papers.



including Henrietta King, Kleberg, Kenedy, and Armstrong, demanded that the line be closer to the coast.<sup>13</sup>

Meanwhile, Ropes had Wells open negotiations with Feliciano San Román. In lieu of a cash payment for an option on his concession, Wells was to try to get San Román to accept a portion of the profits of the proposed railroad. Since San Román had failed to obtain financial backing, Ropes believed that he would accept the offer. If the concession could be obtained in this manner, the promoter predicted that the road could be built from Corpus Christi through Mexico in two or three years.<sup>14</sup> Ropes also directed Wells to inform residents west of Brownsville that for bonuses of \$1,000.00 per mile branch lines could be extended to Hidalgo and Rio Grande City.<sup>15</sup>

When, by the end of summer, construction had not begun, Wells, Stayton, and others, suspecting mismanagement, began to pry into Thayer's administration of the venture. As a self-appointed investigation committee, their meddling quickly led to bickering with Thayer over the proposed route and over the operating expenses. In late 1890, as a result of the committee's recommendation, the company was reorganized and Thayer was ousted as chief engineer and general

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<sup>13</sup>Ropes to J. B. Wells, June 16, 1890, Wells Papers.

<sup>14</sup>Ibid.

<sup>15</sup>Ibid.; G. M. Raphael (Hidalgo) to J. B. Wells, March 3, 1890, Wells Papers.

manager. In the reorganization, Dodderidge was named vice-president, Armstrong became the general manager, and J. J. Cocke of Brownsville was employed as chief engineer.<sup>16</sup>

Armstrong then engaged the firm of Wells, Stayton and Kleberg as attorneys for the road at \$2,500.00 per year with orders to expedite the drawing of contracts for construction.<sup>17</sup>

The new management impatiently and prematurely moved ahead. Without waiting until the line of construction had been finally determined and the San Román concession had been acquired, it let a contract to M. A. Griffin, the contractor for Port Ropes and a member of the board of the Port Aransas Company, to build the 103 miles of road from Corpus Christi to Brownsville. Beginning work at the Corpus Christi terminal on November 15, Griffin with 150 teams began grading about one and one-half miles daily.<sup>18</sup>

Within a month and after only forty-two miles of grading, the C. C. & S. A. ran short of funds. The directors thereupon made levies upon subscriber's pledges. Wells, after meeting the first and second assessments, defaulted on the third and fourth despite repeated pleas by company of-

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<sup>16</sup>Stayton to J. B. Wells, November 1, 1890, Wells Papers.

<sup>17</sup>John B. Armstrong to J. B. Wells, November 3, 1890, Wells Papers.

<sup>18</sup>San Antonio Daily Express, November 21, 1890.

ficers.<sup>19</sup> He was again on the verge of bankruptcy. But, he was not alone among the Brownsville investors. The fact that all construction had been in and around Corpus Christi apparently cooled the ardor of many Cameron County subscribers who could see nothing accomplished in return for their money. Armstrong explained to Wells and Thomas Carson that work would begin in Brownsville as soon as the company could get sufficient funds.<sup>20</sup> Fearing that their money was being used solely to develop Port Ropes and that, if the railroad venture failed, only Corpus Christi would benefit, Wells and Carson hesitated to reassure Cameron County investors. When Griffin threatened to pay the assessments for them and take their stock, they let him have it.<sup>21</sup> Wells and Carson had contributed only \$500.00 each of a total of \$21,250.00 collected.<sup>22</sup>

When he failed to raise adequate funds in South Texas, Ropes sought the aid of eastern financiers. He had been reluctant to bring them into the project for fear they would take a lion's share of the profits. Left now without an

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<sup>19</sup>N. Gussett to J. B. Wells, January 13, 1891; Armstrong to J. B. Wells, January 20, 1891; Stayton to J. B. Wells, January 21, 1891, Wells Papers.

<sup>20</sup>Armstrong to Thomas Carson and J. B. Wells, January 28, 1891, Wells Papers.

<sup>21</sup>M. A. Griffin to J. B. Wells, January 29, 1891; Thomas Carson to J. B. Wells, February 4, 1891, Wells Papers.

<sup>22</sup>Receipts Account Stock Assessments to April 30, 1891, Corpus Christi and South America Railway Company, Wells Papers.



alternative, he asked George H. Towle, a Boston lawyer, to arrange a \$100,000.00 loan with certain properties of the Port Aransas Company, worth twice the amount of the loan, as collateral.<sup>23</sup> Towle introduced Ropes to a group of Boston financiers, including Joseph S. Anthony, John J. Sullivan, and F. A. Whitney who, to raise the money, organized the Pan American Construction Company. Ropes, as president of the C. C. & S. A., then contracted with the Pan American Construction Company to furnish the building funds for his railroad, foolishly giving a lien on property in Corpus Christi and Port Aransas worth \$100,000.00 for an \$18,000.00 loan.<sup>24</sup> When he subsequently squandered the money in an attempt to cut through Mustang Island, Anthony and Towle suspended any further funding pending an examination of Ropes' activities.

Obviously thinking that he no longer needed the good will of the Valley people, Ropes began a series of maneuvers designed to enhance his own prospects at the expense of those who first suggested the project. He purchased a portion of the old Laureles tract, adjacent to the coast, and initiated plans to run the line through to his property. The Klebergs, Kenedys, and Yturrias, who all along had insisted that the line cross their properties and had invested

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<sup>23</sup>Ropes, "Prospectus," February 7, 1891, Wells Papers.

<sup>24</sup>Ropes to J. S. Anthony, copy, July 1, 1891, Wells Papers.

huge sums in the enterprise, refused to acquiesce in the proposed change. Ropes further irritated Valley people when he broke off negotiations for San Román's concession and asked the Mexican government for a concession of his own.<sup>25</sup>

Representing San Román, Kleberg, Kenedy, and Yturria, Wells warned Towle that Ropes' machinations would cause the entire project to fail. Noting that the Mexican government was not likely to give a competing concession, Wells pointed out that San Román was now offering his option to another company. And Stayton informed Towle that another railroad was ready to build to Brownsville and that, if he moved the line, the people of the Valley would assign their bonus money and land to the competing line.<sup>26</sup>

Upon receipt of this information, George Towle hurried to South Texas. There, he easily verified that Ropes was indeed opposed by the Valley people involved in the C. C. & S. A. project. Later, when Feliciano San Román and Enrique Vizcaya of Matamoros, Joaquín Maíz of Monterrey, and Demetrio Salazar and Telesforo García of Mexico City incorporated as the Compañía del Ferrocarril Intercontinental and purchased Feliciano San Román's concession for \$490,000.00, Towle was convinced that Ropes had blundered. Furthermore, Ropes continued to concentrate on his port project rather than on

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<sup>25</sup>Ropes to Anthony, copy, May 20, 1891; ibid., copy, June 24, 1891, Wells Papers.

<sup>26</sup>Stayton to James B. Wells, May 27, 1891, Wells Papers.



the railroad.

Disgruntled, Anthony and Towle began placing copies of Ropes' correspondence into Wells' hands. The letters revealed that Ropes, whenever possible, misrepresented the motives of Valley leaders in an effort to remove them from positions of control. The letters also revealed that Anthony and Towle were seriously considering a move to oust Ropes as president on the basis that he had used railroad funds for his Port Ropes project.<sup>27</sup> When he learned of his backers' plan to depose him as company president, Ropes pledged to "drop everything else and devote [himself] to it [the construction of the railroad] until it is accomplished."<sup>28</sup> But it was too late; the Pan American Company was ready to listen to other proposals.

In August, 1891, Wells travelled to New York City where he and Towle made new plans for a railroad.<sup>29</sup> Having ascertained that the San Román Concession could be purchased from its new owners, Towle and Wells decided to recommend to the Boston associates that Ropes and the C. C. & S. A. project, with its deep water port at Corpus Christi, be abandoned and that a new company be chartered to build the road.

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<sup>27</sup>Ropes to Anthony, copies, May 20, June 24, July 1, 2, 8, and August 11, 1891; Ropes to Towle, copies, July 4, 13, 14, 24, and August 7, 1891, Wells Papers.

<sup>28</sup>Ropes to Anthony, copy, August 11, 1891, Wells Papers.

<sup>29</sup>Towle to J. B. Wells, August 30 and 31, 1891, Wells Papers.



In September, Towle directed Wells to secure a charter for a corporation, to be called the Pan American Railway Company, with capital resources listed at \$3,000,000.00. The Boston members of the company were Joseph S. Anthony, John J. Sullivan, F. A. Whitney, and George H. Towle; Wells, Stayton, and William Davis represented Valley interests. Cautioning Wells not to include the men of the C. C. & S. A. in the project, Towle, as Chief Counsel for the corporation, designated October 1 as the date for work to commence on the road.<sup>30</sup>

If its citizens would contribute a \$150,000.00 bonus, Victoria, Texas, would be the northern terminal. Stayton, representing the Pan American Company, gave the city until October 5 to raise the money and provide right-of-way and depot grounds.<sup>31</sup> A Citizens' Committee, led by George W. L. Fly, agreed to raise the funds but waited to see actual construction underway before paying an installment.<sup>32</sup>

Ropes, who still had a charter to build a line from Corpus Christi to Brownsville, posed a problem for the new corporation. However, deeply in debt, he offered to give

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<sup>30</sup>Towle to Wells, Stayton and Kleberg, September 4, 1891, Wells Papers.

<sup>31</sup>Stayton to J. B. Wells, September 19, 1891; Towle to J. B. Wells, September 25, 1891, Wells Papers.

<sup>32</sup>Reed, A History of Texas Railroads, p. 463.

up his road if he could "get his money back."<sup>33</sup> Believing that the cost of removing Ropes could be borne by the Pan American Company, the general manager, William Davis, had Wells pay off Ropes, Griffin, and G. R. Scott.<sup>34</sup>

Wells then brought together Towle and Manager Frank Brown of the Compañia del Ferrocarril Intercontinental. Within a short time, they concluded an agreement wherein the San Román concession was turned over to the officials of the Pan American Company.<sup>35</sup> Charged with devising a transfer that would be acceptable to the Mexican government, Wells secured a Mexican charter for the Intercontinental Railway Company, Limited. A six-member board of directors, three appointed by the Díaz regime, was to govern the new company. In return for the San Román concession, the owners of Compañia del Ferrocarril Intercontinental were awarded \$490,000.00 in concession stock or 49 percent of "Intercontinental's" capital value. After bonds worth \$1,000,000.00 had been set aside as collateral for capital stock, the owners of "Intercontinental" agreed to divide profits when Mexico provided the promised subsidy.<sup>36</sup>

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<sup>33</sup>Towle to J. B. Wells, September 24, 1891, Wells Papers.

<sup>34</sup>William Davis to J. B. Wells, September 30, 1891, Wells Papers.

<sup>35</sup>Towle to J. B. Wells, October 5, 1891, Wells Papers.

<sup>36</sup>"Memoranda Agreement" in the handwriting of J. B. Wells, November 20, 1891, Wells Papers.

With the acquisition of the San Román concession and the promise of \$150,000.00 by the Citizens' Committee of Victoria, the Pan American Railway Company prepared to sell bonds and to begin construction. On October 15, Wells secured a charter from the State of Texas, and, shortly afterward, the Company began work on a ten-mile segment south of Victoria. But trouble also beset the Pan American Company. Due to a depressed money market, the Company failed to find buyers for its construction bonds. Moreover, M. A. Griffin, the contractor for the C. C. & S. A. road, brought suit against the Pan American Construction Company for noncompliance with his contract terms. Although Wells advised the Boston investment brokers that they were not liable for C. C. & S. A. debts in Texas, the cost of litigation forced the termination of construction until bonds could be sold and bonuses collected.<sup>37</sup> When the Victoria Citizens' Committee learned that the company did not have funds to build even a bridge across the Guadalupe River, it refused to pay the first \$15,000.00 installment of its promised bonus.<sup>38</sup>

Simultaneously, a struggle developed between Frank Brown and Enrique Vizcaya over the presidency of "Intercontinental."<sup>39</sup> To solve the problem, Anthony, the president of the parent Pan American Railway Company, assumed the

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<sup>37</sup>Towle to J. B. Wells, October 29, 1891, Wells Papers.

<sup>38</sup>Reed, A History of Texas Railroads, p. 463.

<sup>39</sup>Towle to J. B. Wells, October 24, 1891, Wells Papers.



presidency, but this action ruffled the feelings of Vizcaya who threatened to take the San Román concession to other financiers.<sup>40</sup> As a result of its instability, no investor dared risk money in the Company. By 1892, the Pan American Company was insolvent, the venture dormant; the Valley leaders had experienced another major disappointment.<sup>41</sup> In 1894, the Pan American Railway Company property was sold for \$11,000.00 by Receiver to J. M. Brownson, who then sold the rails to John Henry Kirby for his Gulf, Beaumont and Kansas City railroad.<sup>42</sup>

Two years after the Pan American Railway Company failure, another financier pondered revival of the line. S. G. Miller of New York, who secretly represented E. H. Ropes, looked over prospects and caused a mild flurry of excitement when he proposed to build the road for a bonus of \$2,000.00 per mile, one-third to be paid upon the completion of fifty miles, one-third upon completion of one hundred miles, and the remainder when the project was finished.<sup>43</sup> Captain William Kelly and Frank Feuille of Brownsville organized a committee to solicit the bonus, naming Wells as one of the

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<sup>40</sup> Enrique Vizcaya to J. B. Wells, February 22, 1892, Wells Papers.

<sup>41</sup> Towle to J. B. Wells, December 8, 15, and 18, 1891, Wells Papers.

<sup>42</sup> Reed, A History of Texas Railroads, pp. 463-464.

<sup>43</sup> The Daily Metropolitan (Brownsville, Texas), September 29, 1893.

fund raisers.<sup>44</sup> Although assured that the bonus could be raised, Miller failed to take any action.

Other promoters kept alive the dream of a Valley railroad. W. C. Wells of Edna, in 1894, wrote James Wells, confidentially, that the Northern Construction Company of New York intended to build from Houston to Mexico City. He asked the Valley Jefe to look for suitable sites for crossing the Rio Grande and to encourage investors.<sup>45</sup> Nothing came of the plan.

A proposed extension of the Missouri, Kansas and Texas Railway from San Antonio to the Lower Rio Grande caused a brief excitement. James O. Luby informed Wells that Atascosa, McMullen, and Duval counties were forming committees to promote such an extension and asked him to sound out Cameron County interests.<sup>46</sup> When Wells responded favorably, Luby then asked him to bring in J. R. Monroe and W. P. Dougherty to represent Starr and Hidalgo counties.<sup>47</sup> After a meeting with M. K. & T. officials in late February, 1894, Wells and his associates were highly optimistic. Although the M. K. & T. officials asked for right-of-way and a bonus of \$2,000.00

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<sup>44</sup>Ibid., September 30, 1893.

<sup>45</sup>W. C. Wells to J. B. Wells, January 5, 1894 and January 14, 1895, Wells Papers.

<sup>46</sup>James O. Luby (San Diego) to J. B. Wells, January 18 and 26, 1894, Wells Papers.

<sup>47</sup>Ibid., January 28, 1894, Wells Papers.

per mile, George W. West of Oakville joyfully predicted that "we will soon have our unknown and seemingly forsaken country connected by rail with the world."<sup>48</sup> But by then most Valley people had become suspicious of railroad bonus demands and refused to comply with the conditions. Subsequently, the project was abandoned.

In 1897, a new strategy to raise funds for railroad construction was implemented. Citizens of Cameron, Hidalgo, and Starr counties petitioned the state legislature for permission to tax themselves to build railroads.<sup>49</sup> A constitutional amendment authorizing frontier counties to levy a tax for railroad construction was quickly approved and submitted to the electorate for adoption.<sup>50</sup>

Wells was in a predicament. He believed that the amendment was the Valley's "only hope of ever getting a railroad," but many of his clients, including John G. Kenedy and Robert J. Kleberg, opposed any new county taxes and pressured him to stay out of the campaign.<sup>51</sup> Wells yielded, at first, to his clients' request but confidentially per-

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<sup>48</sup>George W. West to J. B. Wells, March 2, 1894, Wells Papers.

<sup>49</sup>"Petition of Citizens of Cameron, Hidalgo, and Starr Counties," copy, Wells Papers.

<sup>50</sup>Senate Joint Resolution, Number 8, 1897, copy, Wells Papers; Texas, Legislature, House Journal, 25th Leg., Reg. Sess., pp. 674, 772, 823.

<sup>51</sup>J. B. Wells to M. Guerra, July 27, 1897; J. B. Wells to John G. Kenedy, July 31, 1897, Wells Papers.



suaded William Kelly to make an active canvass for the measure through the Brownsville Railroad Committee and asked Thomas Carson to promote the project in the Blue Club.<sup>52</sup>

Near the end of the campaign, Wells decided, however, to promote openly the amendment. When Blue Club members exhibited little enthusiasm, he had a circular in Spanish distributed, calling for a town meeting to find means "de . . . volver a los pasados tiempos de bonanza ('to return the good times of the past')." <sup>53</sup> Then speaking publicly, he pointed out that a railroad was absolutely necessary for the economic development of the region, that aid to railroads could be paid only in direct proportion to trackage built, and that approval would be dependent upon a local option election. He also noted that less than one-third of the state's track mileage was in West Texas and inferred that lack of adequate roads was the major reason the frontier population was less than 2.91 people per square mile.<sup>54</sup>

Because his enthusiasm was infectious and because his arguments made sense, Wells was able to elicit some support for the amendment.<sup>55</sup> One inspired Blue Club member, an

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<sup>52</sup>Ibid.

<sup>53</sup>La Comisión Ferrocarrilera Noticia, July 31, 1897, Wells Papers.

<sup>54</sup>"Remarks on Proposed Amendment," August 3, 1897, Wells Papers.

<sup>55</sup>J. A. Kemp to J. B. Wells, August 2, 1897, Wells Papers.

election official, went so far as to anticipate the vote of the La Parra precinct. Robert J. Kleberg complained that Kenedy had received his ballot box "filled with tickets all scratched in favor" of the amendment.<sup>56</sup> The support Wells developed in the Valley did not extend to the rest of the state, however. While the Valley counties returned solid majorities for the proposal, a rather sparse voter turnout over the state rejected it by a three to one majority.<sup>57</sup>

Wells refused to accept defeat. Wherever and whenever he met men of means or influence, he continued to promote a Valley railroad.<sup>58</sup> He even interested E. M. House and some of his close friends. In 1902, with the Colonel functioning as a broker between his Texas associates and some unnamed Boston friends, House, Wells, R. H. Baker, and others developed a railroad scheme. The Boston financiers promised \$2,000,000.00 and an engineer if enough Texans showed their faith in the project by purchasing stock.<sup>59</sup> Charged with enlisting Valley investors, Wells found that South Texans

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<sup>56</sup>R. J. Kleberg to J. B. Wells, July 31, 1897, Wells Papers.

<sup>57</sup>Galveston Daily News, August 6, 1897; Madden, Biennial Report, 1898, pp. 55-56.

<sup>58</sup>S. Billow (San Antonio) to J. B. Wells, August 18, 1898; Enrique Vizcaya to J. B. Wells, March 8, 1899; Stayton to J. B. Wells, November 6 and 15, 1899; J. J. Sparrow (Goliad) to J. B. Wells, June 8, 1901, Wells Papers.

<sup>59</sup>R. H. Baker (Austin) to J. B. Wells, July 17, 1902, Wells Papers.

had grown weary of railroad rumors and could not be interested. Unable to attract sufficient investors to satisfy the Boston "friends," he watched the project collapse. His difficulty, in part, was the increasing interest of Valley land owners in a scheme proposed by Uriah Lott.<sup>60</sup>

Lott was an inveterate railroad promoter. Already well known as the builder of the San Antonio and Aransas Pass (S. A. & A. P.) Railway, when his Guadalupe Valley Railway failed in 1900, he retired and moved to Corpus Christi. But Lott loathed inactivity and soon revived E. H. Ropes' old proposal for building a railroad from the Nueces River through Mexico. While A. M. French, an employee, surveyed possible routes to Brownsville, Lott searched for financing. For two years, he experienced failure; however, Robert J. Kleberg, John Armstrong, Robert Driscoll, John G. Kenedy, Francisco Yturria, and other large land owners promised him substantial bonuses if he could find construction funds.

Lott's efforts finally produced results. Obtaining a verbal pledge from Porfirio Díaz that concessions would be granted for the Mexican sector of the line, Lott then persuaded a former employee of his, B. F. Yoakum, to seek construction funds. Yoakum turned to friends in St. Louis who organized a syndicate and pledged almost \$400,000.00 for the venture contingent on the donation of right-of-way and land

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<sup>60</sup>J. L. Allhands, Uriah Lott (San Antonio: The Naylor Company, 1949), pp. 76-80.



bonuses in Texas.<sup>61</sup> On January 12, 1903, Lott secured a charter for the St. Louis, Brownsville and Mexico Railway, with capital stock of \$1,000,000.00, to construct a line from Sinton, in San Patricio County, to Brownsville and a branch line of no more than thirty-five nor less than twenty-five miles through Hidalgo County. Incorporators, in addition to Lott, who became president, included Wells, R. L. Kleberg, Kenedy, Driscoll, Armstrong, and Francisco Yturria. Company headquarters were located in Kingsville.<sup>62</sup>

Just as plans for the S. L. B. & M. became public, the S. A. & A. P. announced its intention of extending its line from Alice to Brownsville without a bonus requisite. Since such a line would greatly diminish donations to the S. L. B. & M., Lott apparently had Yoakum discuss the legality of the S. A. & A. P. project with the Attorney General and the State Railroad Commission.<sup>63</sup> A short time later, the Railroad Commission reported that it had learned that the Southern Pacific Railway Company illegally owned the S. A. & A. P. and that consequently it was filing a suit for for-

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<sup>61</sup>Ibid., pp. 80-81.

<sup>62</sup>Other incorporators were Arthur E. Spohn, E. H. Caldwell, George F. Evans, Thomas Carson, Richard King, Sidney G. Borden, John J. Welder, and Caesar Kleberg. Charter of the St. Louis, Brownsville and Mexico Railway Company, January 12, 1903, Wells Papers.

<sup>63</sup>Reed, A History of Texas Railroads, p. 331.

feiture of S. A. & A. P. charter.<sup>64</sup> The litigation stymied efforts, for the time being, to build south from Alice.

Meanwhile, rumors circulated that Wells, who was away from Brownsville much of the time, favored the S. A. & A. P. project. To scotch such gossip and to protect Kleberg and Kenedy, who would benefit more from Lott's line, Wells appealed to his friends for bonus subscriptions to the S. L. B. & M. Company.<sup>65</sup> He personally contributed \$2,000.00 and raised almost \$20,000.00 in pledges.<sup>66</sup>

In St. Louis, construction financing arrangements proceeded rapidly. On May 26, 1903, B. F. Yoakum, Edwards Whitaker, Samuel W. Fordyce, Thomas H. West, and Robert Brookings of St. Louis entered into an agreement with Presley M. and Benjamin F. Johnston, railroad contractors, wherein the St. Louis financiers consented to purchase from the Johnstons all properties, donations, subscriptions, and shares in the S. L. B. & M. Company that they could obtain. On the following June 25, the St. Louis men and the Johnstons organized the St. Louis Union Trust Company to manage the proposed line. Under the terms of the charter, the St. Louis

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<sup>64</sup>Railroad Commission of Texas, Twelfth Annual Report, March, 1903 (Austin: Von Boeckmann-Jones Company, State Printers, 1904), pp. 22-24.

<sup>65</sup>Frank Kibbe (Wells' office manager) to J. B. Wells, June 30, 1903, Wells Papers.

<sup>66</sup>Petitions and Pledges of Citizens for S. L. B. & M. Company, June 17, 1903, Wells Papers.



Union Trust Company was to receive a commission of 1.5 percent of the value of the line for management and the Johnston brothers were to receive, in stock, \$12,250.00 per mile for building the road and \$2,000.00 per mile for equipment.<sup>67</sup>

While the St. Louis syndicate completed the financing scheme, ranchers along the proposed line set up town-site companies and donated right-of-way. Near the Santa Gertrudis Division headquarters, Henrietta King founded the Kleberg ✓ Town and Improvement Company, incorporated for \$500,000.00, and deeded right-of-way across the King Ranch and a twenty-acre plot for a depot to the S. L. B. & M. Including Yoakum, Fordyce, the Johnstons, and most of the other major figures of the St. Louis syndicate among its shareholders, the town-site company's offer of land and right-of-way was to stand for two-and-one-half years.<sup>68</sup> John G. Kenedy also formed a townsite Company. He purchased 26,000 acres from the Kenedy Pasture Company for 1,250 shares of stock (\$125,000.00) in the Kenedy Town and Improvement Company. Again, the other major stockholders were the leading members of the St. Louis ✓ syndicate.<sup>69</sup> Other landowners, including Robert Driscoll, donated right-of-way strips of one hundred feet in width and

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<sup>67</sup>Syndicate Agreement, St. Louis, Brownsville and Mexico Railway Company, June 25, 1903, Wells Papers.

<sup>68</sup>Charter and Dedication Deed, Kleberg Town and Improvement Company, June 15, 1903, Wells Papers.

<sup>69</sup>Resolution Document, June 30, 1903, Wells Papers.



other lands for townsite and depot purposes.<sup>70</sup>

On July 1, 1903, the S. L. B. & M. directorate contracted with the Johnston brothers to build 192½ miles of railroad. The agreement bound the Johnstons to begin construction in Nueces County within thirty days and to procure the right-of-way, depots, terminal grounds, sidings, turnouts, and station buildings. At the same time, they were given a \$40,000.00 premium from Brownsville citizens and various land bonuses.<sup>71</sup> Of the 1,967 Company shares, the St. Louis syndicate received 1,895; Wells, Lott, Kenedy, Kleberg, and most of the other Valley investors received ✓ ten shares each.<sup>72</sup>

Wells, however, was more powerful in the Company than his total shares indicated. Although Uriah Lott was president of the S. L. B. & M. and Thomas H. West was president of the St. Louis syndicate, Edward C. Eliot, who actually directed all affairs from his position as manager of the St. Louis Union Trust Company, employed Wells as general coun- ✓ sel to handle all railroad litigation, to obtain necessary changes in the charter, to secure right-of-way donations,

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<sup>70</sup>Copies of Deed Records, Wells Papers.

<sup>71</sup>Contract, St. Louis, Brownsville and Mexico Railway Company and Johnston Brothers Construction Firm, July 1, 1903, Wells Papers.

<sup>72</sup>B. F. Johnston to Uriah Lott, copy, July 14, 1903, Wells Papers.

and to prepare all other legal documents.<sup>73</sup> When the Railroad Commission changed its rules to permit a \$20,000.00 valuation per mile on railroad stock, a change in the S. L. B. & M. charter became desirable. Meeting on September 29, stockholders increased the capital stock to \$3,850,000.00, voted to extend the road from Sinton to Houston,<sup>74</sup> and directed Wells to obtain the necessary changes in the charter.<sup>75</sup>

After the financial and charter arrangements had been completed, Wells spent the remainder of 1903 endeavoring to secure right-of-way donations for the branch line. Although F. G. Jonah, the company surveyor, had almost completed his final survey for the line, Wells had difficulty in Hidalgo County persuading the McAllens and other large landowners near the proposed line to donate either right-of-way or bonuses,<sup>76</sup> possibly because the S. A. & A. P. had amended its charter and still intended to build to the Rio Grande, thereby giving them a more direct connection with San Antonio.<sup>77</sup> When Wells explained that the extension might never

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<sup>73</sup>E. C. Eliot to J. B. Wells, July 15, 1893; Uriah Lott to J. B. Wells, August 22, 1903, Wells Papers.

<sup>74</sup>Lott to Eliot, copy, September 29, 1903, Wells Papers.

<sup>75</sup>A. C. Stewart (Counsel for St. Louis Union Trust Company) to J. B. Wells, October 12, 1903, Wells Papers.

<sup>76</sup>Lott to J. B. Wells, August 22, 1903, Wells Papers.

<sup>77</sup>Duval West (San Antonio) to J. B. Wells, August 15, 1903; Amendment of the Articles of Incorporation of the San Antonio and Aransas Pass Railway Company, August 15, 1903, Wells Papers.

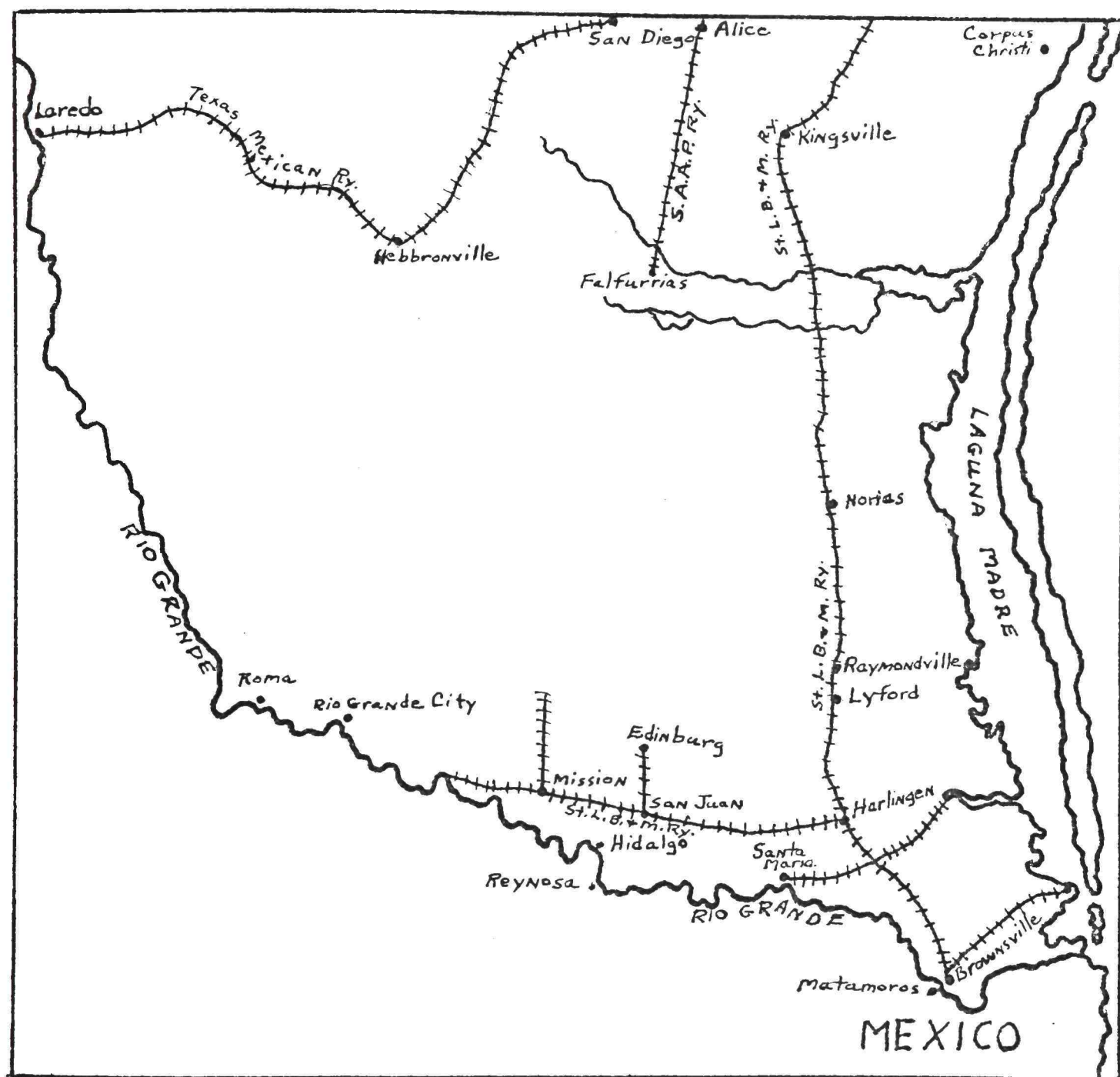


Fig. 8. Railroads in the Trans-Nueces Region, 1910.



be constructed and that the S. L. B. & M. was assured, his words fell on deaf ears. In response to Eliot's subsequent threat that at least one-half interest in 1,280 acres per mile must be donated by the time Jonah finished the survey or "we will not build the Hidalgo line," Wells replied that the ultimatum was "the first thoroughly, sensible business-like step that has been taken touching the matter," and he urged Closner to "appeal earnestly to the landowners."<sup>78</sup> But, Closner was no more successful than Wells.

Of all Wells' tasks as a railroad attorney that of transferring land titles to the S. L. B. & M. absorbed the most time. Charters for the numerous townsites and deeds and abstracts for the land donations had to be prepared. Under the direction of Robert J. Kleberg, who supervised townsite matters, Wells prepared and sent to St. Louis warranty deeds for 120 acres, donated by E. B. Raymond, for the Raymondville Town and Improvement Company, 41,820.6 acres in Nueces County from Henrietta M. King for the townsites of Kingsville, Escondido, Ricardo, Tranquitas, Capitan, Venado, and Uriah, and 34,854.8 acres in Cameron County from Mrs. King for the townsites of Lyford, Stillman, Narciso, and San José.<sup>79</sup> Included among various other townsites was Norias

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<sup>78</sup>Sam Fordyce and Eliot to J. B. Wells, February 18, 1904; J. B. Wells to Fordyce and Eliot, February 18, 1904; J. B. Wells to Closner, February 18, 1904, Wells Papers.

<sup>79</sup>J. B. Wells to Eliot, copy, August 18, 1904, Wells Papers.

which, in Spanish, means Wells. ✓ For his services, Wells received \$2,000.00 per annum.<sup>80</sup>

Construction of the S. L. B. & M. began on July 18, 1903. Commencing at a site where Robstown was later built on the Texas-Mexican Railway, work progressed rapidly except for slight delays caused by the panic of 1903 and a yellow fever scare. On June 7, 1904, the tracks reached Brownsville, the 141 miles having been completed in less than eleven months. On the morning of July 4, the first passenger train north left Brownsville and on the same day arrived in Corpus Christi, thus bringing to an end the sixteen-year struggle of Wells and the Valley people to obtain a railroad and signaling the beginning of a new era of economic growth and development for the Valley.<sup>81</sup> The long sleep was over.

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<sup>80</sup>Ibid., copy, December 8, 1904, Wells Papers.

<sup>81</sup>Reed, A History of Texas Railroads, pp. 331-332.

## CHAPTER VII

### BUSINESS AND PERSONAL AFFAIRS, 1900-1910

A frontier outpost in 1900, Brownsville was an American enclave in a region still culturally and geographically linked with Mexico. Commercially dependent upon the patronage of a few ranchers and an irregular trade with the Mexican interior, it was a place of quiet and gracious living, only an occasional political quarrel or border incident disturbing its serenity. Although some of its business leaders yearned to be in the mainstream of American economic development, a mañana spirit prevailed, the benumbing effect of long years of physical isolation.

With many of its low, brick buildings constructed flush with the edge of the roadways, Brownsville resembled a Mexican villa. The principal avenues, extending toward the northwest from Fort Brown, were narrow and uneven. And during business hours, stifling dust drifted upward from a pulverized, earthen base as pedestrians maneuvered for right-of-way with bouncing hacks, creaking carretas (ox carts), and ponderous water wagons. Only on the main thoroughfares were there concrete sidewalks to ease pedestrian passage. To the first-time visitor, only an occasional, stately palm tree and



the towering spires of the massive Church of the Incarnate Word interrupted the little town's monotonous flatness.

The major commercial establishments were located along Elizabeth, Levee, Madison, and Washington streets between Fort Brown and the City Market, a few blocks to the northwest. Near the center of the business district, Mrs. H. Bollack operated probably the most prestigious of the town's general merchandise firms, stocking ladies' and gentlemen's wear, dry goods, notions, furniture, and shoes.<sup>1</sup> Close-by, Miss Celina Bollack ran a small millinery store. The best of Brownsville's pharmacies was J. L. Putegnat and Brothers' Botica del León (Drug Store of the Lion). "Putegnat's" carried a full line of patent medicines, drugs, surgical instruments, paint supplies, and toilet articles and featured a modern soda fountain. In January, 1900, "Putegnat's" installed the first gas light in the Valley, a 100-candle-power illuminant placed just outside the entry way.<sup>2</sup> For years, the chief competition to "Putegnat's" came from Miguel Barragán, the Mexican consul, who also managed the Botica del Águila (Eagle Apothecary Shop). Among the other merchants along Elizabeth Street, John McGovern operated a small grocery store; Mrs. George Krausse sold jewelry and silverware; and H. F. Dennett and Brother merchandized groceries, glass-

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<sup>1</sup>Brownsville Daily Herald, January 1, 1900.

<sup>2</sup>Ibid., January 25, 1900.

ware, tin ware, and crockery. S. L. Dworman, successor to Bloomberg and Rafael, stocked dry goods, staple goods, hats, men's wear, and shoes; Albert Samons managed a saddle and harness shop; H. M. Field sold hardware, stoves, house furnishings, cement, bricks, lubricating oils, and paints; and, both W. L. Barbee and the Brownsville Transfer Company operated livery stables and sold feed and livestock. Financial services were furnished by the First National Bank which boasted a capital of \$50,000.00 and a surplus of \$20,000.00. Usually, ready cash could also be obtained from Francisco Yturria, who did a private banking business from his store, and from Victor Egly's International Saloon, where a large amount of small change was always on hand.<sup>3</sup> Near the lower end of the business district, where Elizabeth and Twelfth streets intersect, the Rio Grande Railway Building housed, on the first floor, the railroad's general offices and, on the second floor, the law office of James B. Wells.<sup>4</sup>

As in most small towns, the inhabitants of Brownsville were open and friendly. Comprised of a moderately well-to-do middle class and a large number of laboring Mexicans and Mexican-Texans, most were native to the Valley and stable, only a few more desirous for frontier adventure than for a mere settled existence. Hunting, baseball, gossiping, seasonal

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<sup>3</sup>Ibid., January 2, 1901.

<sup>4</sup>Ibid., January 25, 1900.

bailes at Fort Brown, and infrequent musicals performed by the music society at the Catholic Church provided the chief diversions. For those who had the financial means, the cool sea breezes at Point Isabel provided relief during the summer months from the searing heat along the river. Life was good, unhurried, unostentatious; people enjoyed each other.

In this setting, James Wells pursued his normal day's activities. Always arising with the sun, he invariably began by relishing a "Target" cigarette while leisurely and meticulously dressing in his customary attire of white shirt and blue-serge suit. Placing a black Stetson hat over his dark, slightly curly hair, it was his matutinal practice to leave the house before the family arose and walk up Elizabeth Street and over to the City Market where vendors were preparing their stores of vegetables, fruits, green corn, beef, venison, and fish. Attracting most of the town "characters," the market was the colorful and lively center of Brownsville. And there, while sipping his morning coffee, Wells listened to the latest gossip and often made contact with his informants.<sup>5</sup>

After breakfasting, Wells strolled over to L. A. Rousset's for his morning shave. Throughout his life, he was never able personally to perform this tonsorial operation.

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<sup>5</sup>Robert C. Wells to Baulch, interview, July 9, 1973.



While at Rousset's, he again listened to local gossip and occasionally made contact with an informant. Following this morning ritual, he walked slowly down Elizabeth Street to his office, stopping along the way to talk to children he happened to meet.<sup>6</sup>

After his financial reverses and the refinancing of his debt in 1899, Wells restricted his business, for a time, to his law practice. Applying most of his income to payments on his obligations, he frequently asked his clients for an advance on his fees. In 1900, for an instance, he appealed to Archie Parr for enough to pay personal taxes.<sup>7</sup> When Parr responded by sending the full amount of the fee, the grateful lawyer promised "as time passes, I'll try to show you and yours how much I appreciate it, and your confidence in me."<sup>8</sup> Over the years, Parr remained steadfast in his support of Wells, both financially and politically, and the latter never wavered in his high regard for the Benavides rancher.

Inspired by increased prospects for a Valley railroad and a mild economic boom in 1900, Wells abandoned his short-lived policy of financial retrenchment to plunge once again into land speculation. Beginning in March with a purchase of 543.5 acres from the Panal Grant in Starr County, he went

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<sup>6</sup>Ibid.

<sup>7</sup>J. B. Wells to Archie Parr, copy, February 14, 1900, Wells Papers.

<sup>8</sup>Ibid., copy, March 5, 1900, Wells Papers.

on to acquire, before the end of the year, more than 3,703 additional acres for his Panal Ranch and seven-and-one-half lots in Rio Grande City.<sup>9</sup> Buying land thereafter whenever he found a bargain, he added to his holdings until he had accumulated, by 1902, over 74,617.5 acres. Of this, 13,727.5 acres, including a 640-acre tract embracing all of Point Isabel, were in Cameron County, and over 50,000 acres from the Llano Grande and La Feria grants comprised his Capisallo Ranch. He valued his properties at \$88,152.00; and a lien on another 3,350 acres in the Ojo de Agua Grant was held by H. P. Drought as security for the \$82,801.95 settlement in 1899 with Francis Smith, Caldwell and Company.<sup>10</sup>

In land speculation in Hidalgo County, Wells was associated with John Closner. First entering the land business with the sale of the Emilio C. Forto tract and an additional 2,300 acres in January, 1902, Closner, envisioning even larger sales, asked Wells to join him in marketing a 45,000

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<sup>9</sup>Warranty Deeds, E. Block to Pauline J. Wells, 543.5 acres of Panal Grant, March 3, 1900, Book T, 40-43; José Maria Chapa to P. J. Wells, 1308 acres of Panal Grant, April 13, 1900, Book S, 483-485; Manuel Guerra to P. J. Wells, 1580  $\frac{3}{7}$  acres of Panal Grant, April 20, 1900, Book S, 353-354; W. F. Sprague to P. J. Wells, 553.5 acres of Panal Grant, December 27, 1900, Book T, 12-14; J. R. Monroe to J. B. Wells, 7.5 lots in Rio Grande City and 262 acres, Book T, 28-31, Deed Records, Starr County.

<sup>10</sup>Inventory of Property, Starr County, 1901, Inventory of Property, Cameron County, 1901; Property Rendered for Taxation, Hidalgo County, 1902, Wells Papers; Deed of Trust, J. B. Wells to H. P. Drought, Book IV, 156, Cameron County Mortgage Records.



acre tract from their irrigable Llano Grande lands. He added that he believed the property would bring as much as \$2.50 an acre.<sup>11</sup> Although Wells' Llano Grande property was in the Capisallo Ranch and he was not anxious to sell, after consideration, he agreed; he needed money; he had paid only \$1.50 per acre for the ranch; and, land salesmen were in the region looking for tracts to develop. Moreover, land prices were rising. He had just completed a sale of 640 acres in Cameron County for \$2.00 per acre and had heard that Duval West of San Antonio had sold a tract near Hidalgo for \$2.00 per acre cash.<sup>12</sup>

However, from Wells' point of view, the partnership was not an ideal arrangement. Having had much experience with land speculators, he was not sure that Closner could handle a large land sale. And Closner soon justified his doubts. Shortly after they began operations, Wells offered a portion of the Llano Grande tract at \$2.50 per acre to J. P. Withers of Kansas City. After negotiating an agreement in principle, he left the remainder of the transaction to his partner. Later, from San Antonio, he learned that, without Closner's knowledge, Lon C. Hill and Thaddeus Rhodes were covertly attempting to lure Withers into buying other

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<sup>11</sup>John Closner to J. B. Wells, January 22 and May 12, 1902, Wells Papers.

<sup>12</sup>General Warranty Deed, J. B. Wells to J. L. Halbert, 640 acres, Cameron County; Duval West to J. B. Wells, April 24, 1902, Wells Papers.



property. Apparently believing that Closner was dawdling along with the sale, Wells suggested that he confine his efforts thereafter to acquiring property and leave the partnership sales to lawyers.<sup>13</sup> Wells then completed the sale to Withers, 13,786.61 acres of Porciones 69 and 70 of the Llano Grande grant for \$27,573.42 cash and terms, and gave an option on another 1,077.3 acres.<sup>14</sup> The partners profited almost \$7,000.00 from the down payment alone.

News that a railroad charter had been issued to the St. Louis syndicate in 1903 caused land speculation in the Valley to become bullish. Wells acquired over 18,943 acres and sold at least 38,119 acres. The largest acquisition, 12,177 acres of the San Juan de Carricitos grant, was purchased for just over \$15,200.00. A few months later, he sold the tract to Yoakum and his associates for \$30,422.50. Altogether, Wells' cash outlay for land during the year exceeded \$25,758.00, and his income from land sales, shared with Closner, amounted to \$59,663.00.<sup>15</sup> With the monies received from his land sales

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<sup>13</sup>J. B. Wells to Closner, May 23 and n.d., 1902, Wells Papers.

<sup>14</sup>Ibid., July 28, 1902, Wells Papers; Warranty Deed, J. B. Wells and Closner to J. P. Withers, 4,670.42 acres, July 28, 1902, Book J, Deed Records, Hidalgo County.

<sup>15</sup>Release of Deed of Trust, 3,720 acres, Book J, 346, Deed Records, Cameron County; Agreement, J. B. Wells and E. R. Raphael to C. A. Burton, 6,868.9 acres, Ojo de Agua Grant, n.d., Wells Papers; Warranty Deed, Josiah W. Turner

through 1903, Wells reduced his indebtedness to Francis Smith and Company from \$82,801.95 to \$41,590.00.<sup>16</sup>

Although he temporarily ceased purchasing property during 1903 and 1904 in favor of other investments, Wells thereafter was one of the Valley's busiest land dealers. Between 1905 and 1911, he purchased more than 31,805 acres in Hidalgo and Starr counties, acquired Porciones 82 and 90 in the latter county and Porcion 53 in the former, received another 2,214 acres in Zapata County as his fee in a land suit, and obtained a lease on another 43,030.1 acres in Starr County. His land sales amounted to more than 55,734 acres, including one tract of 25,568.1 acres sold for \$76,704.30 and three square leagues of the Guadalupe del Encinal grant sold for \$40,000.00 to E. C. Lasater. Wells also sold his interest in Point Isabel for \$4,365.82 to R. E. Holland. By the end of the decade, land values

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to J. B. Wells, 12,177 acres, December 15, 1903, Book K, 23-26; Warranty Deed, J. B. Wells to B. F. Yoakum, et. al., 12,177 acres, September, 1904, Book K, 447-448; Antonio Carvajal (Victoria, Tamaulipas, Mexico) to J. B. Wells, 6,642 acres, April 2, 1903, Book K, 140-142; Guardians Deed, Manuel Hinojosa to J. B. Wells, 124 acres, May 10, 1904; Closner and J. B. Wells to Thomas B. Hooks, 9,754.8 acres, February 4, 1903, Book K, 236-240; Warranty Deed, Closner and J. B. Wells to Lon C. Hill, 9,318.8 acres, February 4, 1903, Book L, 86-90, Deed Records, Hidalgo County.

<sup>16</sup>J. B. Wells and Pauline J. Wells to Francis Smith and Company, n.d., remittance of \$10,000.00 from J. H. Brooks land sale, Wells Papers.



had risen to \$6.00 per acre.<sup>17</sup>

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<sup>17</sup>Warranty Deeds, O. S. Watson to J. B. Wells, 640 acres, Hidalgo County, April 28, 1906; Stanley Welch to J. B. Wells, 960 acres, Hidalgo County, April 28, 1906; A. Burnback to J. B. Wells, 3,840 acres, Starr County, October 11, 1906; José Rodriques to J. B. Wells, Porcion 90, Starr County, December 24, 1906; State of Texas to J. B. Wells, 640 acres, Starr County, June 23, 1906; Josefa Peña Marks to J. B. Wells, 175 acres, Starr County, May 14, 1906; Eugenie R. Raphael to J. B. Wells, 960 acres, Starr County, May 14, 1906; Benita Olivarez and Others to J. B. Wells, El Panal Tract, Starr County, May 9, 1906; W. W. Shely to J. B. Wells, 1,000 acres, Starr County, February 22, 1906; Eligio García, et. al., to Pauline J. Wells, 266.67 acres, Starr County, n.d., 1906; Mary L. Hicks, et. al., to J. B. Wells, 3,017.5 acres, Hidalgo County, February 5, 1907; Abundio Vela to J. B. Wells, 30 acres, Starr County, April 25, 1907; Sostenes C. Saenz to J. B. Wells and John Closner, 995 acres of Llano Grande grant, October 9, 1907; José Aniceto Hinojosa and Frank C. Pierce to J. B. Wells and John Closner, Porcion 53, Hidalgo County, October 15, 1907; Juan García Peña to P. J. Wells, 3,840 acres, Starr County, October 21, 1907; J. R. Monroe to P. J. Wells, 261 acres, Starr County, April 3, 1908; Camilo Perez to P. J. Wells, 1,280 acres, Starr County, May 24, 1910; Romulda L. de Hernandez to P. J. Wells, 97 acres, Starr County, January 17, 1910; J. B. Wells to W. B. Clint, et. al., 22,368.1 acres, Starr County, April 25, 1910, Wells Papers. Deed of Conveyance, J. B. Wells to G. R. Findlay, October 31, 1906, Wells Papers. Releases, J. B. Wells and J. Closner to J. J. Conway, 10,086.7 acres, Hidalgo County, September 21, 1907; J. B. Wells to Closner, 3,017.5 acres, Hidalgo County, February 21, 1907; J. B. Wells to R. E. Holland, one-half interest in 640 acres, Cameron County, September 30, 1907, Wells Papers; J. B. Wells to John G. Fernández, December 20, 1909, Wells Papers. Lease No. 35,388, Marcus Phillips to J. B. Wells, May 15, 1908, Wells Papers. Option to Purchase, J. B. Wells and J. Closner to G. T. Porter, n.d., 1910, Wells Papers. Warranty Deeds, John O. Buenz to P. J. Wells, 478.3 acres, August 23, 1909, Book 31, 135-137; Felix Longoria to P. J. Wells, 16 acres, March 8, 1909, Book 30, 51-53; Filiberto Peña, et. al., to J. B. Wells and G. Welch, 2,214 acres, Zapata and Starr counties, Book 30, 390-394; R. Martinez to J. B. Wells and F. W. Seabury, 2,250 acres, Book 32, 197-200; Paula Leal de Gonzáles to P. J. Wells, Porcion 82 of Camargo, Book 36, 14-15; J. B. Wells to Mateo Saenz, 640 acres, October 11, 1910; James B. Wells and Pauline J. Wells vs. State of Texas, judge-



Interest in Valley land was stimulated further by two oil companies. The first, the King Oil Company, organized in 1901 by R. J. Kleberg and Wells, prospected unsuccessfully in Nueces County.<sup>18</sup> Few records remain to account for its existence or even its prospects; however, Wells regarded the venture as "a lottery, pure and simple," and advised his friends to find a more promising investment.<sup>19</sup> After the King Oil Company failed, the Guffey Oil Company expended, in 1902, over \$5,000.00 in Nueces County in an unproductive search.<sup>20</sup>

During the first years of the Valley land boom, Wells established a work pattern that eventually destroyed his health. Since his law office, from the beginning of Anglo settlement, had accumulated land abstracts and had long been involved in the effort to clear titles to King, Kenedy, and other properties, he probably knew more than anyone about Valley lands, and his legal services were greatly in demand.

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ment, El Panal Tract, April 18, 1908, Book V, 446-448; J. B. Wells to E. C. Lasater, Three Square Leagues, Guadalupe del Encinal grant, Book 33, 63-64; Camilo Perez to P. J. Wells, 1,280 acres, May 24, 1910, Book 33, 79-81, Deed Records, Starr County.

<sup>18</sup>W. C. Robards (San Antonio) to J. B. Wells, May 18, 1901, Wells Papers; Brownsville Daily Herald, August 13, 1901.

<sup>19</sup>J. B. Wells to Robards, June 20, 1901, Wells Papers.

<sup>20</sup>Brownsville Daily Herald, August 12, 1902.

This heavy workload, in addition to representing the S. L., B. & M., functioning as chairman of the state Democratic Party Executive Committee, engaging in personal real estate transactions, and directing the business of an otherwise exceptionally busy law office, kept him toiling long hours, day and night, and beyond the limits of his physical endurance. His health became a constant worry for his family and physicians.

Although he had a flourishing law practice and seemingly was profiting from his real estate deals, Wells continued to experience an embarrassing shortage of funds. In 1903, he asked his insurance broker, R. H. Baker of Austin, for several extensions on a note covering his life insurance premiums.<sup>21</sup> Eventually, to satisfy Baker, he borrowed \$1,200.00 from D. Sullivan and Company of San Antonio.<sup>22</sup> Exactly what he did with much of his earnings cannot be fully documented, but scant evidence suggests that he continued to invest in land, that he partially liquidated his debt to Francis Smith and Company, and that he made several bad investments in Mexican gold mines and Valley utility companies.

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<sup>21</sup>J. B. Wells to R. H. Baker, September 23, 1903, copy, Wells Papers.

<sup>22</sup>J. B. Wells to D. Sullivan and Company, September 25, 1903; D. Sullivan and Company to J. B. Wells, September 25, 1903, Wells Papers.



Late in 1903, Wells commenced his Mexican mining misadventure. He was persuaded by Calvin G. Brewster of Laredo, an old political foe, to invest over \$1,000.00 in a mine located fifty miles south of Monterrey, Mexico. Although expecting to develop the property without bringing anyone else into the project, within a year, the partners ran out of money and had to incorporate.<sup>23</sup> On June 27, 1904, Wells, Brewster, and others applied for a charter for the Laredo Mining and Smelting Company. Declaring their intent to engage in all forms of the mining business and stock raising in Mexico, the incorporators set the capital stock of the company at \$250,000.00.<sup>24</sup>

In the corporate arrangement, Wells was responsible for raising operating funds. After receiving a report that the mines were unusually rich, assaying \$155.12 per ton in silver and gold and \$75.00 per ton in copper, he traveled to St. Louis to ask B. F. Yoakum to find buyers for five hundred shares or \$12,500.00 of the stock.<sup>25</sup> For some unspecified reason, Yoakum was unable to sell the stock, and,

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<sup>23</sup>J. B. Wells to D. Sullivan and Company, October 13, 1903; C. C. Pierce (Laredo) to J. B. Wells, April 9, 1904, Wells Papers.

<sup>24</sup>Other incorporators were C. C. Pierce, W. H. Mims, F. H. Pierce, William H. Banks, J. C. Cuellar, Thomas W. Dodd, and L. R. Ortiz. Articles of Incorporation, Laredo Mining and Smelting Company, June 27, 1904, Wells Papers.

<sup>25</sup>Regis Chauvenet and Brother (Analytical Chemists and Assayers, San Luis, Mexico) to J. B. Wells, July 18, 1904; C. G. Brewster to J. B. Wells, July 12, 1904, Wells Papers.



a short time later, Wells, on behalf of the corporation, borrowed \$1,500.00 in his own name for company operating expenses. Cautioning Brewster, the company president, not to take any risk whatever as to title or payment of taxes on their mines, he asked that these matters not be trusted to their lawyer-partner, Charlie C. Pierce, who was not always reliable.<sup>26</sup>

Before the end of the year, Pierce merited Wells' disapprobation. On December 28, he informed Wells that company Engineer W. H. Banks had located a vein of metal between one and two feet thick and had opened a carbonate vein three feet thick. If another \$10,000.00 in Mexican currency could be raised to purchase the necessary equipment to work the mine, he added, a bonanza was within reach.<sup>27</sup> However, while an excited Wells searched for the money, disaster struck the Laredo Mining and Smelting Company. Apparently ignoring Wells' earlier admonition, Brewster had entrusted the legal work of the corporation to Pierce who, personifying the mañana spirit, had neglected to obtain title to the mine property.<sup>28</sup> When another party won title to the

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<sup>26</sup>Merchants National Bank (Brownsville) to Brewster, telegram, September 29, 1904; J. B. Wells to Brewster, copy, October 1, 1904, Wells Papers.

<sup>27</sup>Pierce to J. B. Wells, December 28, 1904, Wells Papers.

<sup>28</sup>Brewster to J. B. Wells, February 12, 1907, Wells Papers.

mines, Wells and his partners lost everything.

In addition to investing in Brewster's mines, Wells became involved in a public utilities project. Agreeing to back John W. Maxcy, a Houston engineer who held a franchise to construct water, electric light, and telephone systems in Brownsville, he brought R. H. Baker and Edward M. House into the venture to help with the financing.<sup>29</sup> In the arrangement which evolved, Baker agreed to seek the needed capital through his insurance company contacts. But, he found that the eastern money market was tight and that no funds were available.<sup>30</sup> Since Maxcy's franchise stipulated that construction on the waterworks had to begin by December 11, 1903, Maxcy and Wells were forced to spend their own resources for project plans and specifications.<sup>31</sup> By late spring, 1904, they had expended all their available funds--over \$60,000.00. When the contract completion date arrived, they had to ask for an extension. The city council, however, refused and transferred the franchise, with an extension, to Wells.<sup>32</sup> Although Wells claimed that he had done nothing to hurt

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<sup>29</sup>Kibbe to E. A. Clousnitzer (Quanah), August 14, 1903, Wells Papers.

<sup>30</sup>Baker to J. B. Wells, October 29 and November 11, 1903, Wells Papers.

<sup>31</sup>John Wharton Maxcy to J. B. Wells, November 4, 1903, Wells Papers.

<sup>32</sup>Kibbe to J. B. Wells, May 2, 1904, Wells Papers.

Maxcy and that he had done everything possible to raise funds, Maxcy, believing that Baker, House, and Wells had influenced the city council, brought suit against his erst-while associates.<sup>33</sup> But, for lack of evidence, the case was never tried.

For some undetermined reason, perhaps because they believed the venture would never prosper, Baker and House, in 1904, dissociated themselves from the utilities company. Fordyce, Yoakum, and their partners in the S. L., B. & M. syndicate then offered to furnish the necessary financing in return for an extension of time and other considerations, but the city council refused, and Wells lost his franchise.<sup>34</sup>

Two years later, Wells tried again to set up a public utilities company in Brownsville. In February, 1906, he and Baldwin G. Stegman organized and put into operation the Brownsville Telephone Company.<sup>35</sup> On the next October 26, he also helped organize the Brownsville Water, Light and Power Company, with himself, John G. Fernandez, Francisco Yturria, William Kelly, and William M. Ratliffe as stockholders. The charter stipulated that the company was to continue for fifty years and have a capital stock of

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<sup>33</sup>J. B. Wells to T. W. Gregory and Robert Butts (Austin attorneys), May 3, 1905, Wells Papers.

<sup>34</sup>A. D. Childress and Duval West (San Antonio attorneys), to J. B. Wells, May 1, 1904, Wells Papers.

<sup>35</sup>Franchise Grant, February 28, 1906, Wells Papers.



\$100,000.00 divided into 2,000 shares.<sup>36</sup> For construction funds, Wells turned to C. S. Longnecker, a Chicago investment broker, who advised him to have twenty-year, 6 percent, semi-annual interest bearing bonds issued that could be retired for a premium payment at the end of five years. Counseling him to sell the bonds at 90 percent of par value and to turn over \$10,000.00 in bonds as the fee for the engineer and construction manager, Longnecker informed Wells that the terms, though harsh, were necessary to obtain funds in a depressed money market.<sup>37</sup> Apparently concluding that the time was not propitious, Wells soon liquidated his interest in the company.

Among his other business undertakings, Wells helped form the Brownsville Land and Town Company. He and Duval West, in 1904, worked out an agreement between property owners and the S. L. B. & M. syndicate whereby the railroad combine promised to locate the road's southern terminal on the town company's property and to pay \$25,000.00 cash for one-half of the town company's capital stock.<sup>38</sup> On this basis, the Brownsville Land and Town Company was incorporated on December 15, 1904, with capital assets listed at

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<sup>36</sup>Articles of Incorporation, Brownsville Water, Light and Power Company, October 27, 1906, Wells Papers.

<sup>37</sup>C. S. Longnecker to J. B. Wells, April 3 and 10, 1907, Wells Papers.

<sup>38</sup>J. B. Wells to G. D. Polfrey and M. Bell (Franklin, Louisiana), May 7, 1904, Wells Papers.

\$100,000.00.<sup>39</sup> The company expected to profit by selling lots around the terminal.

In addition to his other corporation involvements, Wells was a minor figure in a rice milling firm and a cement company. He invested in 1904 in the Merchants and Planters Rice Milling Company of Brownsville, a corporation valued at \$125,000.00.<sup>40</sup> And, at about this time, he joined Joseph D. Sayers, Thomas W. Gregory, B. F. McNulty, and others of Austin, Texas, as stockholders in the Austin Portland Cement Manufacturing Company. Never prospering, the cement company failed, and Wells eventually sold his stock at twenty-five cents on the dollar par value.<sup>41</sup>

As attorney for the S. L., B. & M., Wells had a troubled association with E. C. Eliot, General Manager of the parent St. Louis Union Trust Company. After the completion in 1904 of the railroad, land prices rose dramatically, and he began to spend more time selling land and following the district court and less time looking after railroad matters. Apparently concluding that Wells was neglecting the railroad, Eliot employed, in 1906, Duval West of San Antonio as General Attorney and elevated Wells to General Solicitor with

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<sup>39</sup>Articles of Incorporation, Brownsville Land and Town Company, December 15, 1904, Wells Papers.

<sup>40</sup>Notice of Shareholder meeting, Merchants and Planters Rice Milling Company, September 26, 1904, Wells Papers.

<sup>41</sup>P. L. Richardson (Austin) to J. B. Wells, October 2, 1908; J. B. Wells to Richardson, October 4, 1908, Wells Papers.



notice that the syndicate wanted its attorneys "on the grounds" to give immediate attention to railroad interests.<sup>42</sup> But, when dilatory tactics slowed condemnation proceedings for right-of-way in Hidalgo County and when Feliciano San Román and James A. Browne failed to turn over promised land donations, Eliot, evidently believing that Wells was culpable, demanded his resignation as president of the Brownsville Land and Town Company in favor of William Kelly.<sup>43</sup> Wells not only complied, but he also sold his 153 shares in the company to Frank Kibbe, his office assistant, for \$9,180.00 or sixty cents per \$1.00 face value.<sup>44</sup> Relations deteriorated further in 1908 when Wells thwarted plans of the S. L., B. & M. to bridge the Rio Grande west of Hidalgo. Upon learning from Garner that Sam Fordyce and others were seeking congressional approval for a railroad bridge "at or near" Brownsville and that the span was to be built approximately midway between Hidalgo and La Grulla, Wells asked Garner to amend the measure to read "at Brownsville, Texas."<sup>45</sup> Garner agreed, and when Yoakum and Fordyce "kicked," he informed them that it was "the only condition under which

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<sup>42</sup>Eliot to J. B. Wells, October 15, 1906, Wells Papers.

<sup>43</sup>Ibid., December 18, 1906; Eliot to West, copy, February 8, 1907, Wells Papers.

<sup>44</sup>J. B. Wells to Kibbe, July 26, 1907, "Agreement," Wells Papers.

<sup>45</sup>U. S., Congressional Record, 60th Cong., 1st Sess., 1908, XLII, Part 5, 4602; Garner to J. B. Wells, April 21 and 25, 1908, Wells Papers.



the bill would pass."<sup>46</sup> Thus, Wells saved the bridge for Brownsville but an angry Eliot determined to discharge him. Although Wells claimed that he had "done everything possible, and quite successfully" for the railroad, Eliot disagreed, and, on June 7, 1908, S. L., B. & M. President Jeff Miller informed Wells that his employment as General Solicitor had been terminated.<sup>47</sup>

In a way, Wells was pleased. He had found it difficult to concern himself with dull railroad litigation when lucrative opportunities abounded. Fortunately, he was financially unable to re-enter the mining business in 1907 when the optimistic blandishments of Calvin Brewster, W. H. Banks, and Charles C. Pierce about their San Marcos Mine, south of Concepcion del Oro and near the famous Mazapil Mine, aroused his interest.<sup>48</sup> But the following year, he joined John Closner and several others in organizing an irrigation company to pump water from the Rio Grande to lands near Raymondville. For legal services, he was allotted 5 percent of the company

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<sup>46</sup>Ibid., May 21, 1908, Wells Papers.

<sup>47</sup>J. B. Wells to Jeff Miller, June 29, 1908; Miller to J. B. Wells, June 7, 1908; "Announcement," St. Louis, Brownsville and Mexico Railway Company, July 1, 1908, Wells Papers.

<sup>48</sup>Brewster to J. B. Wells, January 2, February 12, and March 6, 1907; Albert Wagner to J. B. Wells, March 17, 1907; W. H. Banks to J. B. Wells, April 3, 1908, Wells Papers.

stock.<sup>49</sup>

Also in 1908, the Brownsville Telephone Company, owned by Wells and Baldwin G. Stegman, began operations. It was an instant success. During the first eighteen months, its gross receipts were almost twice expenses, and by 1909 it had reduced its total debt from \$28,582.48 to \$6,500.00.<sup>50</sup> Wells credited Stegman, who was president, treasurer, and manager of the plant, with being chiefly responsible for its success. Despite its profits, Wells decided, however, to sell his interest. When approached, Stegman agreed in principle to pay the \$10,000.00 asked, but upon learning that the Southwestern Company was moving into the region, he withdrew his offer.<sup>51</sup> Charles Wells, manager of the Kingsville Telephone Company, then suggested to James Wells that they buy out Stegman, consolidate the two companies, and sell to the Southwestern Company--perhaps for as much as \$45,000.00.<sup>52</sup> The lawyer agreed, and, late in 1909, the two Wells borrowed \$10,000.00 from

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<sup>49</sup>Other incorporators were W. F. Sprague, J. W. Davis, Noah Allen, B. H. Frazier, and S. L. Gill. Agreement, June, 1908, Wells Papers.

<sup>50</sup>Financial Statement, Brownsville Telephone Company, August 1, 1909, Wells Papers.

<sup>51</sup>Charles E. Wells to J. B. Wells, May 12 and 20, 1909; J. B. Wells to C. E. Wells, May 19, 1909; J. B. Wells to B. G. Stegman, August 6, 1909, Wells Papers.

<sup>52</sup>C. E. Wells to J. B. Wells, September 29 and 30, 1909, Wells Papers.



Mrs. H. M. King for the purpose.<sup>53</sup> Although Stegman refused their offer, he and James Wells subsequently sold the Brownsville plant to the Southwestern Company. In addition to his share of the undisclosed profits, Wells received thereafter free telephone service for his home, his office, his point Isabel house, and the convent and rectory of the Church of the Incarnate Word.<sup>54</sup>

Wells then looked for new investment opportunities, and, again, he chose unwisely. In late 1910, Frank W. Vaughn, a nephew by marriage, and Dr. Fred J. Combe, another relative, persuaded him to put money in the Equitable Life Insurance Company of San Antonio, Texas. Under President Combe's leadership, however, the company, with assets listed at \$250,198.99, never prospered. The amount of stock Wells owned is not disclosed, but he served for several years as one of the directors.<sup>55</sup>

In retrospect, Wells' personal investments during the first decade of the twentieth century lacked the perspicacity exercised in his political involvements. Clearly, his

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<sup>53</sup>J. B. Wells to C. E. Wells, October 2, 1909; J. B. Wells and Charles E. Wells, note, payable to Mrs. H. M. King, in the amount of \$10,000.00 at 8 percent interest, dated December 27, 1909, with notation that money was repaid May 13, 1910, Wells Papers.

<sup>54</sup>J. B. Wells to Joseph D. Frank (The Southwestern Telegraph and Telephone Company), October 29, 1919, Wells Papers.

<sup>55</sup>Statement of Assets and Liabilities, The Equitable Life Insurance Company of San Antonio, Texas, December 31, 1910, Wells Legal Papers.



foresight that railroads would revolutionize the Valley economy, that land values would skyrocket, and that southwestern Texans would develop a disposition to have water, power, and telephone service was sagacious. However, while deeply in debt and after two personal financial crises, his eagerness to speculate in land values, his willingness to risk borrowed funds in mining ventures and an unstable insurance company, and the alacrity with which he rid himself of potentially profitable investments, including the utilities company and the Brownsville Land and Town Company, is puzzling and certainly not demonstrative of business acumen. Moreover, ignoring Robert J. Kleberg's admonition to "stick to legal business in the future," he borrowed heavily from D. Sullivan and Company of San Antonio, Mrs. H. M. King, the Merchants National Bank of Brownsville, and H. P. Drought.<sup>56</sup> By 1908, interest payments to Drought alone amounted to \$4,480.00 annually, an indication that the principal of the original loan of 1903 had not been reduced.<sup>57</sup>

Nevertheless, Wells apparently was more concerned about his children than his business failures. He worried espe-

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<sup>56</sup>R. J. Kleberg to J. B. Wells, June 23, 1899; D. Sullivan and Company to J. B. Wells, May 18, 1904; Merchants National Bank to C. G. Brewster, September 29, 1904; Note, J. B. Wells and C. E. Wells to Mrs. H. M. King, December 29, 1909; H. P. Drought and Company to J. B. Wells, May 28, 1908, Wells Papers.

<sup>57</sup>J. B. Wells and Pauline J. Wells to Francis Smith and Company, n.d. [1903]; J. B. Wells to H. P. Drought and Company (successor to Francis Smith and Company), July 5, 1910, Wells Papers.

cially about Zoë. Years of careful supervision had failed to dissuade her from her determination to marry a young man that her parents found very objectionable. When Zoë graduated in 1901 from high school, Wells decided to let her travel about Texas for a year or two, hoping she would meet and like an acceptable young man.<sup>58</sup> But, when her suitor followed her and continued his attentions by mail, Zoë was sent away in 1903 to live with relatives in Baltimore. There, for the next fifteen years, she boarded at the home of her uncle, Edward Lucas White.<sup>59</sup> And there, she became an accomplished artist. Her grateful father helped White publish his historical novel, El Supremo.<sup>60</sup>

Son Joe K. Wells also left the Valley to attend school. Believing that the school in Brownsville did not adequately prepare its students for college, Wells sent Joe to St. Edward's College in Austin for preparatory work.<sup>61</sup> Then, when his progress there was disappointing, the father sent him, in 1904, to the Boy's Latin School in Baltimore. There, Joe progressed enough within a year to enter the University

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<sup>58</sup>"Tinibus" to J. B. Wells, September 18, 1910, Wells Papers.

<sup>59</sup>Tinie to J. B. Wells, January 29, 1903; J. B. Wells to Convent of Notre Dame, Baltimore, Maryland, July 9, 1903, Wells Papers.

<sup>60</sup>Edward L. White, El Supremo (New York: Dutton and Company, 1916).

<sup>61</sup>Brownsville Daily Herald, October 21, 1901.



of Virginia.<sup>62</sup> To keep the two children in school Wells often found it necessary to obtain from the King Ranch advances on his retainer.<sup>63</sup>

While away in school, the Wells children saw little of their father. Although Tinie often went to visit them, Wells was too busy.<sup>64</sup> Joe came home each summer to work in his father's office, but Zoë was not permitted to return for fear she would resume her courtship. She spent her summers visiting friends, including E. M. House and John N. Garner, on the east coast. In 1906, House interceded and asked Wells to permit his daughter to return to Texas.<sup>65</sup> But she returned only twice during the decade, and, on those occasions, only as far as Houston where she roomed with the Frank Vaughn family.<sup>66</sup>

In 1910, Joe finished law school and entered his father's office. The son's assumption of much of the routine practice enabled Wells to continue his interminable travel-

<sup>62</sup>J. B. Wells to Joseph K. Wells, May 18, 1903; J. B. Wells to Edward Lucas White, July 29, 1904; J. B. Wells to Joseph K. Wells (University of Virginia), Wells Papers.

<sup>63</sup>J. B. Wells to R. J. Kleberg, August 26, 1908, Wells Papers.

<sup>64</sup>J. B. Wells to Zoë P. D. H. Wells (Byrdcliff, Kingston, New York), September 3, 1906; J. B. Wells to Mother M. Antoinette (Convent of Incarnate Word, Victoria, Texas), August 10, 1910, Wells Papers.

<sup>65</sup>House to J. B. Wells, July 31, 1906, Wells Papers.

<sup>66</sup>Frank Vaughn to J. B. Wells, May 25 and 29, and September 25, 1908, Wells Papers.



ing.<sup>67</sup> But help had arrived too late; the heavy workload, the ever-nagging debts, and the close political fights had taken a toll beyond normal physical endurance.

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<sup>67</sup>Joe K. Wells to J. B. Wells, November 28, 1910, Wells Papers.

## CHAPTER VIII

### JEFE POLITICO, 1900-1904

Still grief-stricken over the death of his elder son, James Wells at the turn of the century gave only passing attention to political developments. To alleviate his grief, he submerged himself in his law practice for almost a year, surmounting his melancholia but once--to help his close friend John Closner when challenged in late 1899 by the Doughertys. On January 8, 1900, a High Mass, sung for Jamie on the anniversary of his death, seemed to help Wells overcome his deep depression.<sup>1</sup> A short time later, he resumed his role as Jefe Político (political chief).

During a called session of the Twenty-sixth Legislature in mid-January, Wells was asked to lobby against a tax bill which seemed to threaten railroads and corporations. Using his influence with Garner, Monroe, Russell, and John Willacy, a Portland representative who had taken Jeff McLemore's seat, Wells was instrumental in the defeat of the tax bill.<sup>2</sup> He also supported a libel bill and J. R. Monroe's

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<sup>1</sup>Brownsville Daily Herald, January 8, 1900.

<sup>2</sup>J. B. Wells to John N. Garner, John Willacy, J. R. Monroe, or William J. Russell, February 12, 1900, Wells Papers; Texas, Legislature, House Journal, 26th Leg., Spec. Sess., pp. 208-209.

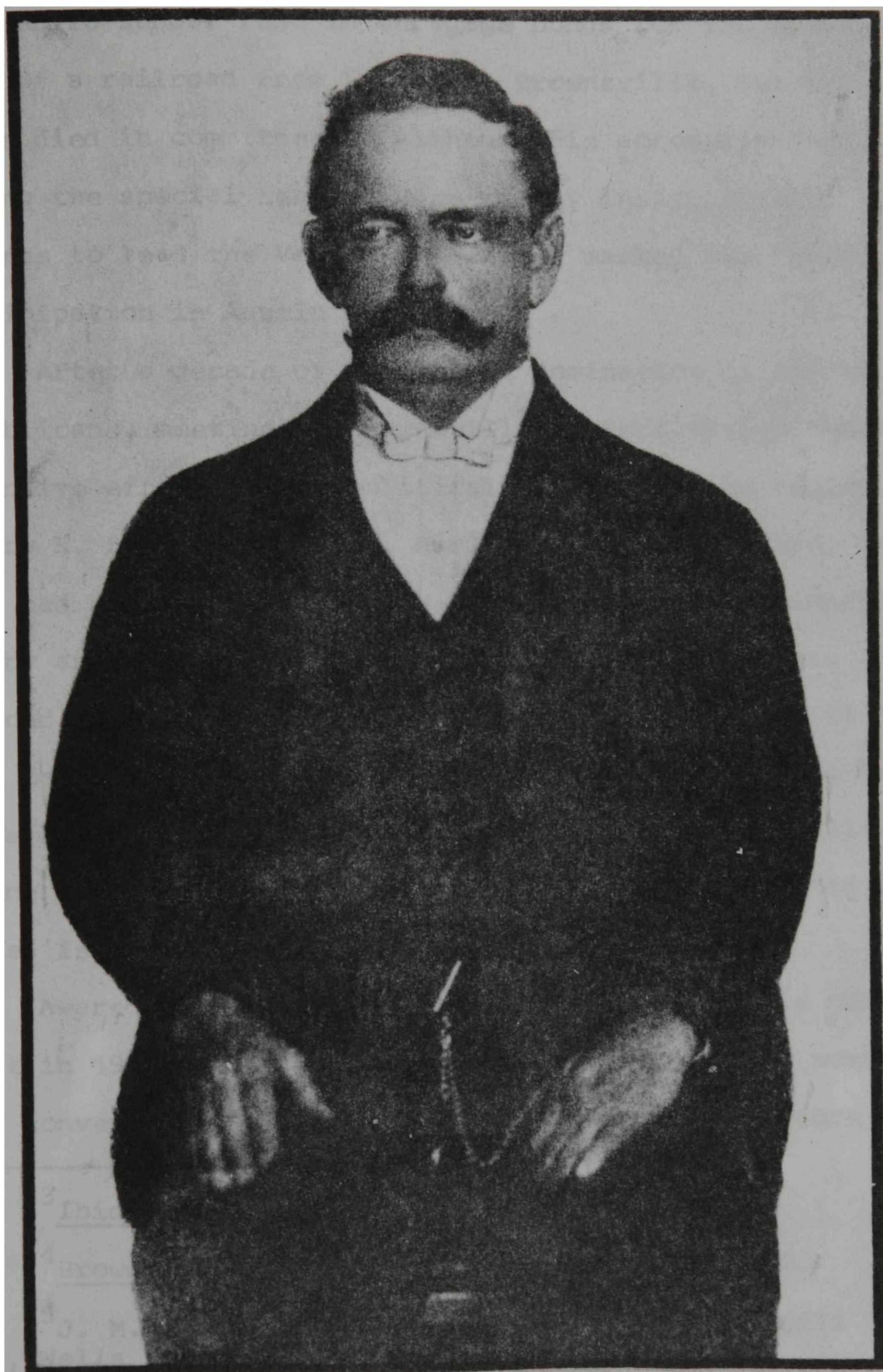


Fig. 9. James B. Wells, 1902.



resolution calling for the investment of \$2,000,000.00 from the public school fund in mortgage bonds for the construction of a railroad from Laredo to Brownsville, but both bills died in committee.<sup>3</sup> Although his accomplishments during the special session were really insignificant, Wells' efforts to lead the Valley delegation marked his return to participation in Austin affairs.

After a decade of Democratic domination in the Valley, Republicans, meeting in Brownsville in February, planned an intensive effort to win political control of the region.<sup>4</sup> Led by R. B. Creager, C. H. Maris, and R. B. Rentfro, Jr., they had been encouraged by Wells' long period of inactivity and by an outbreak of squabbling among the Democrats. When Raymond Martin of Laredo died, a rather fragil coalition of Webb County Democrats fell apart.<sup>5</sup> Moreover, because Senator Atlee had opposed measures favored by Closner and Wells during the special session, the Lower Valley Democrats had joined issue with him.<sup>6</sup>

Aware that the Republicans intended to make a good fight in 1900, Wells carefully prepared the county nominating conventions. Requesting local leaders to be sure to

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<sup>3</sup>Ibid., pp. 96-97.

<sup>4</sup>Brownsville Daily Herald, February 19, 1900.

<sup>5</sup>J. M. Rodriquez (Laredo) to J. B. Wells, April 12, 1900, Wells Papers.

<sup>6</sup>J. B. Wells to Closner, April 3, 1900, Wells Papers.

have their delegations to the various district conventions instructed for Joseph D. Sayers and Rudolph Kleberg and to "be sure that Joe Bailey men control senatorial and representative conventions," Wells asked his friends to hold early primaries in safe counties, hoping thereby to generate elsewhere a bandwagon effect.<sup>7</sup>

Perceiving Wells' political adroitness, E. M. House urged him to run for chairman of the State Democratic Executive Committee. Having already approached the Joseph W. Bailey faction, he knew the Bailey stalwarts preferred Wells.<sup>8</sup> Although he was disinclined to make the race, Wells certainly realized that the position would enhance his political effectiveness in the Valley as well as throughout the state. Without committing himself, he asked friends, including Frank Andrews of Houston, to sound out the opinions of upstate Democrats.<sup>9</sup>

Wells' chief concern was James S. Hogg. Leading the faction in opposition to Joe Bailey, Hogg knew that Wells was a House and Bailey supporter. Despite Archie Parr's boast that Duval County and the rest of the state would "give Hogg a big vote to stay home," the South Texan needed

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<sup>7</sup>J. B. Wells to Archie Parr, March 28, 1900, Wells Papers.

<sup>8</sup>Richardson, Colonel House, p. 168.

<sup>9</sup>Frank Andrews to J. B. Wells, May 18, 1900, Wells Papers; Andrews to George Pendleton, May 24, 1900, Dienst Collection, Library, University of Texas.

and wanted an assurance from the former governor.<sup>10</sup> In mid-summer, probably realizing that House and Bailey forces controlled enough convention votes to elect Wells whether he opposed him or not, Hogg cleared the way: "I know you to be a democrat of unquestioned loyalty to the party, and also one of my best friends. Politically and personally you are all right and I will vote for you."<sup>11</sup>

Believing that Hogg's endorsement removed all effectual opposition, R. H. Baker of Austin informed House that Wells' selection as chairman was assured.<sup>12</sup> But, as the August convention approached, Wells was not confident. Characteristically, he wanted nothing left to chance. Contacting every county chairman in his district, he asked them to have their delegations instructed for him and to assign their proxies to him.<sup>13</sup> Then writing many of his up-state friends, including Johathan Lane of Houston, Ben Cabell of Dallas, George Burgess of Waco, and Joe W. Bailey of Gainesville, he asked them to see to it that the delegations in their regions were similarly charged. He also

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<sup>10</sup>Parr to J. B. Wells, June 6, 1900, Wells Papers.

<sup>11</sup>J. S. Hogg to J. B. Wells, June 9, 1900, Hogg Papers, Letterpress 16, p. 347.

<sup>12</sup>R. H. Baker to J. B. Wells, June 29, 1900, Wells Papers.

<sup>13</sup>Closner to J. B. Wells, June 14, 1900; J. B. Wells to Shely, June 14, 1900; Hugh F. Marr (Beeville) to J. B. Wells, June 15, 1900; J. B. Wells to J. W. Shaw (San Diego), August 1, 1900, Wells Papers.



solicited Joe Lee Jamison, House's "right hand" in politics, to line up former Senator Horace Chilton's friends; and he received the endorsement of the powerful Houston Post.<sup>14</sup> At the convention in Waco, thanks to his careful and detailed work, "Jim Wells of the Rio Grande" received double his opponent's vote.<sup>15</sup>

Following the state convention, Wells established party headquarters in San Antonio and employed Jeff McLemore as secretary of the Executive Committee. Since there seemed to be no real threat to the Democrats other than in the Valley, he directed most of his attention to the area south of the Nueces River. Although removed from the vicinity by his duties, he worked through his friends and various political appointees, periodically reminding the latter of their duty. Such a reminder to Constant Laroche of Point Isabel is illustrative:

. . . upon reception of my letter [endorsement to the governor], you will receive your Branch, but, my friend, I expect you, in the future, to be as good and active a Democrat as you used to be, and not 'get sick, & c.' on Election day, and fail to work for your party, & c., because some of our Republican friends happen to show you some favors.

All your real benefits have been from Democratic

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<sup>14</sup>J. B. Wells to Jonathan Lane, August 2, 1900; J. B. Wells to Ben Cabell, August 2, 1900; J. B. Wells to George Burgess, August 2, 1900; J. B. Wells to Joe W. Bailey, August 2, 1900; J. B. Wells to Joe Lee Jamison, August 2, 1900; J. B. Wells to Louis J. Wortham, August 4, 1900, Wells Papers.

<sup>15</sup>The Galveston Daily News, August 5, 7 and 10, 1900; Winkler, Platforms, pp. 427-432.

sources and during Democratic Administrations and you should not forget it.<sup>16</sup>

Meeting in October, Valley Republicans reevaluated the political situation in the Lower Rio Grande. Having initially planned to run strong candidates, including Henry Hord of Rio Grande City against Judge Welch and John C. Scott of Corpus Christi against John Kleiber, they decided, instead, to make only token opposition since Wells intended to use against them the resources of the state Democratic Party.<sup>17</sup> They connived, however, to exploit a split in the Blue Club.

While Wells was away establishing party headquarters, the Blue Club divided into factions. Led by Celedonio Garza, one group, comprised primarily of rancheros, believed Sheriff Emilio Forto condoned Texas Ranger intimidation of Mexican-Texans.<sup>18</sup> The other clique, led by James A. Browne, backed Forto and favored collusion with Customs House Republicans to control Cameron County politics. Fearing that the Blue Club would lose its basic support (the rancheros) if Forto was renominated, Wells, working through Welch, Kleiber, and City Marshal Lonnie Bates, agreed to share county offices with Brownsville Re-

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<sup>16</sup>J. B. Wells to Captain Constant Laroche, August 4, 1900, Wells Papers.

<sup>17</sup>Brownsville Daily Herald, October 1, 1900.

<sup>18</sup>Pauline J. Wells to J. B. Wells, October 8, 1900, Wells Papers.



publicans in exchange for an election contest only between Forto and Garza.<sup>19</sup> But the Browne wing and the Customs House Republicans refused to accept the compromise and nominated, on a "Red Ticket," Forto for sheriff and R. B. Creager for state representative.

In a hard-fought campaign prior to the general election, Democrats Garza and Seabury, with help from old-line Republicans who opposed Forto, narrowly defeated Forto and Creager.<sup>20</sup> Elsewhere in the state, Democrats easily won all elective offices. But Wells was both surprised and embarrassed by a Republican victory for William McKinley in his home county.<sup>21</sup>

House felt that Wells deserved a political reward for his role in the sweeping election victory. Thus, when Tom Smith, the Texas Attorney General, became critically ill, he asked Wells if he desired the position. He wanted to know because "the Governor has offered you several appointments and you turned them all down and I am afraid to pre-

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<sup>19</sup>Ibid., October 14, 17, and 18, 1900; Louis Kowalski (Brownsville) to J. B. Wells, October 16, 1900; Celedonio Garza to J. B. Wells, October 17, 1900; Thomas Carson to J. B. Wells, October 17, 1900; Augustin Celaya (Brownsville) to J. B. Wells, October 17, 1900, Wells Papers.

<sup>20</sup>J. B. Wells to W. W. Shely and F. W. Seabury, October 29, 1900, Wells Papers; Brownsville Daily Herald, November 7, 1900.

<sup>21</sup>D. H. Hardy, Biennial Report of the Secreatary of State of Texas, 1900 (Austin: Von Boeckmann, Schutze and Company, 1900), p. 108.



sent your name unless I know you will accept it."<sup>22</sup> Wells, however, had bigger things in mind. But first, he had a land bill to promote.

Taking advantage of John Garner's offer to serve him when the Twenty-seventh Legislature convened, Wells had written a bill which he hoped would settle, once and for all, the ownership of lands south of the Nueces River with unperfected titles.<sup>23</sup> In brief, due to the lapse of time since the awarding of the land grants, the bill permitted holders of unperfected Spanish and Mexican titles to bring suits to determine ownership and permitted the introduction of county records and copies of the original grants as evidence. All expenses, including court costs, were to be borne by the claimants, even to furnishing the Attorney General with copies of petitions and all evidence, titles, and translations.<sup>24</sup> Since the Land Commissioner and Attorney General Smith, after some changes, had approved, Wells urged Garner to "leave nothing undone to pass it . . . as a personal favor to me."<sup>25</sup>

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<sup>22</sup>House to J. B. Wells, November 15, 1900, Wells Papers.

<sup>23</sup>Texas, Legislature, House Journal, 27th Leg., Reg. Sess., p. 592.

<sup>24</sup>J. B. Wells to D. McNeill Turner and John N. Garner, n.d., Wells Papers.

<sup>25</sup>Ibid., February 23 and March 4, 1901, Wells Papers.

However, opposition to the land bill developed. Despite their prior approval, Land Commissioner Rogers and Assistant Attorney General Reese criticized the bill as being weighted in favor of claimants. They apparently suspected a plot by Valley ranchers to obtain title to land that rightfully belonged to the public. Thereupon, Senators C. O. James of Sulphur Springs, D. W. Odell of Cleburne, and A. B. Davidson of Cuero led a move to defeat the bill. For a time, it seemed as though the opponents would prevail. But, Garner, working "as I never worked before," aided by Seabury and Willacy, stifled opposition in the House, while Wells enlisted the aid of J. B. Dibrell of Seguin, R. N. Stafford of Mineola, Theodore Harris of San Antonio, D. E. Patterson of Belton, and D. McNeill Turner, who had replaced Atlee, to maneuver the bill successfully through the Senate.<sup>26</sup> After it was adopted and sent to the governor, John B. Armstrong, speaking for the Valley landowners, wrote Wells that "every-one who holds land under a grant owes you a debt of gratitude inexpressable."<sup>27</sup>

The Valley Jefe considered the land bill as the most

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<sup>26</sup>Ibid., February 26, 1901; Turner to J. B. Wells, February 28 and March 2, 1901; J. B. Wells to Turner, March 22, 1901; R. N. Stafford to J. B. Wells, March 22, 1901; Theodore Harris to J. B. Wells, March 22, 1901; J. B. Dibrell to J. B. Wells, March 22, 1901; J. B. Wells to Willacy, March 4, 1901, Wells Papers; Texas, Legislature, House Journal, 27th Leg., Reg. Sess., pp. 592, 1085.

<sup>27</sup>John B. Armstrong to J. B. Wells, March 22, 1901, Wells Papers.

important piece of legislation that he had ever sponsored. Having been involved for more than twenty years in litigation relating to land titles, he knew well that the fertile Rio Grande Valley would never be developed economically until clear ownership to land could be established, and he also knew that for the same reason proffered land bonuses would never attract railroad builders. When he learned that Governor Sayers intended to veto the bill because it limited the state without limiting the claimants, Wells brought all of the pressure he could muster upon the Governor.<sup>28</sup> He asked R. J. Kleberg to present the claimants' side of the question to Sayers and persuaded ex-Supreme Court Justice Leroy G. Denman, Judge Charles F. Ogden, and ex-Senator Atlee to explain to him that the state had always held the right to bring suits.<sup>29</sup> But their entreaties were of no avail; on April 29, Sayers vetoed the bill.<sup>30</sup> Wells blamed the defeat on land speculators who still hoped to locate certificates on reclaimed lands in the Valley.<sup>31</sup> Garner, who blamed Sayers, declared: "So help me Mr. Moses if I was Governor I would be Governor-and not permit the different departments to dictate to me what was or what was

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<sup>28</sup>Garner to J. B. Wells, March 11, 1901, Wells Papers.

<sup>29</sup>J. B. Wells to Garner, March 25 and June 20, 1901; J. B. Wells to R. J. Kleberg, March 14, 1901, Wells Papers.

<sup>30</sup>Texas, Legislature, House Journal, 27th Leg., Reg. Sess., pp. 1312-1313.

<sup>31</sup>J. B. Wells to Garner, June 20, 1901, Wells Papers.



not favorable legislation."<sup>32</sup>

Simultaneously, Wells worked diligently for Ranger and libel bills. Wanting more protection against cattle rustlers, Robert J. Kleberg persuaded Representative Ferg Kyle of Kyle to submit a bill that would increase the Ranger force to four companies of twenty-two men each.<sup>33</sup> Then, when Adjutant General Thomas Scurry informed Kleberg that the bill faced considerable opposition, the King Ranch manager apparently asked Wells for help.<sup>34</sup> Supported by the entire Valley delegation the bill passed with little opposition.<sup>35</sup> And, after a request by Frank Bushick of San Antonio's The Daily Express, Wells also helped pass the "Staples Libel Bill," which he termed a "proper" libel bill.<sup>36</sup>

Unwilling to accept defeat in connection with the land bill, Wells asked Garner to request the governor's support for an amended bill if he called a special session. At the same time, he hinted that, if such favorable legislation was enacted, he would like "to go over [the coming] Congression-

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<sup>32</sup>Garner to J. B. Wells, May 1, 1901, Wells Papers.

<sup>33</sup>Texas, Legislature, House Journal, 27th Leg., Reg. Sess., p. 72.

<sup>34</sup>Thomas Scurry to R. J. Kleberg, January 23, 1901, Wells Papers.

<sup>35</sup>Texas, Legislature, House Journal, 27th Leg., Reg. Sess., p. 378.

<sup>36</sup>J. B. Wells to Frank Bushick, March 14, 1901; J. B. Wells to Russell, March 14, 1901; Bushick to J. B. Wells, March 20, 1901, Wells Papers; Texas, Legislature, House Journal, 27th Leg., Reg. Sess., pp. 798-799.

al . . . races."<sup>37</sup> Recognizing the implication, Garner quickly responded that Sayers, "your particular friend," would call a special session and had agreed to submit the land question. Furthermore, he would, he wrote, actively back Wells for governor, should he run, and he had plans for a new congressional district for the Valley in the coming reapportionment. Gratified, Wells replied that he would see him shortly about the political situation.<sup>38</sup>

At a special session of the legislature in 1901, called primarily to redistrict the state, Governor Sayers submitted the land matter for consideration. Introduced by F. W. Seabury and J. O. Nicholson, the new bill contained the basic provisions of Wells' earlier bill but without the features that Sayers found objectionable. This time the bill passed and was signed by the Governor.<sup>39</sup> Wells was now confident that land ownership problems in the Valley could be more easily settled.

Meanwhile, Wells pondered a gubernatorial race. Throughout 1901, whenever and wherever Valley politicians gathered, the conversation sooner or later turned to Wells' availability for state office. When Attorney General Tom

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<sup>37</sup>J. B. Wells to Garner, June 20, 1901, Wells Papers.

<sup>38</sup>Garner to J. B. Wells, June 21, 1901; J. B. Wells to Garner, June 26, 1901, Wells Papers.

<sup>39</sup>Texas, Legislature, House Journal, 27th Leg., Spec. Sess., pp. 103, 217; Texas, Legislature, Senate Journal, 27th Leg., Spec. Sess., p. 201.



Smith died, both Archie Parr and Brownsville Daily Herald editor Jesse Wheeler, who knew that House had offered Wells the position, urged him to accept the office. But Representative F. W. Seabury, who wanted Wells to run for governor, warned that acceptance would be bad politics if he had higher aspirations.<sup>40</sup> In fact, Wells received considerable encouragement to run for governor, but, for the time being, he remained noncommittal. In response to an offer by J. J. Pastoriza of Houston to work for his nomination, he stated that he intended to run if conditions remained favorable,<sup>41</sup> to another advocate he replied that his law practice left him little time to think about such matters,<sup>42</sup> and to queries from close political friends, including Garner, Seabury, and A. S. Burleson, he vaguely answered that before making a decision he would confer with them.<sup>43</sup> Evidently, Wells wanted to run, but first he had to be sure of the sup-

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<sup>40</sup>Jesse O. Wheeler to J. B. Wells, March 18, 1901; Parr to J. B. Wells, March 15, 1901; J. B. Wells to Parr, March 15, 1901; Seabury to J. B. Wells, March 19, 1901; J. B. Wells to Seabury, March 23, 1901, Wells Papers.

<sup>41</sup>J. J. Pastoriza to J. B. Wells, February 21, 1901; J. B. Wells to Pastoriza, March 8, 1901, Wells Papers.

<sup>42</sup>J. B. Wells to unknown, fragment of a letter, n.d., Wells Papers.

<sup>43</sup>Garner to J. B. Wells, June 21, 1901; J. B. Wells to Garner, June 26, 1901; J. B. Wells to Seabury, March 23, 1901; W. E. Moore to J. B. Wells, May 20, 1901; J. B. Wells to Moore, June 20, 1901; T. A. Thompson to J. B. Wells, June 6, 1901; J. B. Wells to Thompson, June 20, 1901; A. S. Burleson to J. B. Wells, June 10, 1901; J. B. Wells to Burleson, June 17, 1901; R. L. Henry to J. B. Wells, May 17, 1901; J. B. Wells to Henry, June 29, 1901, Wells Papers.



port of Bailey, Culberson, and House, none of whom had offered to help. In fact, rumors abounded that Senators Bailey and Culberson were supporting Judge Thomas Jefferson Brown of Houston.

Apparently speaking for House, B. F. McNulty gave Wells slight encouragement. Bailey, he wrote, was indeed behind the so-called Brown movement. A strong challenge could also be expected from northeastern Texas, where N. W. Finley, Horace Chilton, M. M. Crane, and Thomas M. Campbell were forming a combine to fight Bailey. If Wells was intent upon announcing, however, House would enter the campaign in his behalf.<sup>44</sup> R. H. Baker, another House associate, wrote that "I know he [House] prefers you above all men" and that Wells' announcement would cause Brown to withdraw, but, he cautioned, House's love for you "would prompt him to try and keep you from making a losing fight if he could foresee combinations that would be hard to set aside."<sup>45</sup>

Wells was perplexed. Obviously, Baker and McNulty knew something that they were not revealing. Seemingly, House was offering his support but at the same time apparently telling him not to run. In fact, House feared that it would be difficult for Wells to get elected because he was a Catholic, and he hoped to dissuade him from making the

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<sup>44</sup>B. F. McNulty to J. B. Wells, June 2, 1901, Wells Papers.

<sup>45</sup>Baker to J. B. Wells, June 12, 1901, Wells Papers.

race.<sup>46</sup>

Wells informed Baker that he would soon meet personally with House to settle "the question at issue definitely," and he sent McLemore to Austin to learn why his friends were reluctant to give their endorsement.<sup>47</sup> McLemore found that although neither Bailey nor Culberson had publicly endorsed anyone, two of Bailey's closest friends, Ben Cabell and Jot Gunter, were behind the Brown movement. He also learned from Governor Sayers that both senators were opposed to any prominent man, such as Wells, because he might eventually unseat one of them. As for Judge Brown, McLemore observed, "that it is no trouble whatever for him to hear the 'small still voice' calling him from afar."<sup>48</sup>

Believing that he was now cognizant of Bailey's strategy, Wells apparently decided to force him into taking a public stand. He asked the Senator by letter if he had seen a newspaper account to the effect that Finley, Chilton, Crane, and Campbell were organizing to oppose "J. W. Bailey's candidate, Judge Brown."<sup>49</sup> Shortly thereafter, Brown withdrew. Evidently, Bailey realized that he would need the good will of ✓ the State Chairman of the Democratic Party more than that of

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<sup>46</sup>Richardson, Colonel House, p. 179.

<sup>47</sup>J. B. Wells to Baker, June 29, 1901, Wells Papers.

<sup>48</sup>McLemore to J. B. Wells, July 2 and 3, 1901, Wells Papers.

<sup>49</sup>J. B. Wells to Bailey, July 4, 1901, Wells Papers.

Brown. A few days later, Culberson told McLemore that he was for Wells "first, last and all the time."<sup>50</sup>

Having assumed the role of political coquet, Wells decided to prod E. M. House into an endorsement. Knowing that Brown had withdrawn, he informed House that he would support Brown if the Colonel desired it but that his friends resented statements made by Gunter and would support either S. W. T. Lanham or Tom Campbell just "the moment their friendship and allegiance to myself does not hold them, . . . and I do not propose to 'break my neck' to stop them from doing so, unless you (and you alone, good friend), desire me to do so."<sup>51</sup> Compelled to commit himself, House asked the members of "our crowd," including Frank Andrews of Houston, to back Wells.<sup>52</sup> However, not willing to run with such reluctant support and disgusted especially with Senators Bailey and Culberson for not publicly endorsing him earlier when they knew "how entirely I have been devoted to them over the years, and have never lost an opportunity of advancing their interests," Wells, in mid-July, informed McLemore that he was withdrawing and that, of the remaining candidates, he liked best Tom Campbell.<sup>53</sup>

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<sup>50</sup>McLemore to J. B. Wells, July 8, 1901, Wells Papers.

<sup>51</sup>J. B. Wells to House, July 10, 1901, Wells Papers.

<sup>52</sup>Richardson, Colonel House, pp. 177-180.

<sup>53</sup>J. B. Wells to McLemore, July 11, 1901, Wells Papers.



Believing that his bid for the nomination had come to naught, Wells did not further discuss the matter. Seemingly unaware that efforts were being made in his behalf and that his silence was upsetting House, he retired from the chase. When Joe Lee Jamison, House's "right arm in politics," wired, "Have you decided to purchase the land[;] we all hope so [;] our prospects have greatly improved," Wells seems to have been taken by surprise.<sup>54</sup> Two days later, when Jamison pressed for an immediate answer, he responded that [I] "have very reluctantly, but positively, decided not to purchase land,"<sup>55</sup> and thanked House and his confidants for their support.<sup>56</sup> The next day, House tendered his endorsement to Samuel Willis Tucker Lanham of Weatherford "in the event Judge Wells does not enter the race."<sup>57</sup>

Since he was not advised of the decision, Wells assumed that House did not intend to bring him into the campaign. He thereupon returned to the Valley, where he became totally preoccupied with other matters. But, fearing that Wells resented the turn of events and would not support Lanham, House

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<sup>54</sup> Joe Lee Jamison to J. B. Wells, September 2, 1901, Wells Papers.

<sup>55</sup> Ibid., September 4, 1901; J. B. Wells to Jamison, September 6, 1901, Wells Papers.

<sup>56</sup> Ibid., September 7, 1901; J. B. Wells to Frank Andrews, September 7, 1901; J. B. Wells to R. H. Baker, September 7, 1901; J. B. Wells to House, September 7, 1901, Wells Papers.

<sup>57</sup> Richardson, Colonel House, p. 180.

evidently decided to make a peace overture. In October, Jamison wrote, "our friends . . . conclude with deep regret that [the] situation has gotten away from us. Shall we consider your declination final--if so will you go with us and help us land Lanham?"<sup>58</sup> Undeceived and deeply hurt but convinced that to do otherwise would be slow political oblivion, Wells replied, "You know how entirely I am with you in everything."<sup>59</sup> Apart from his duties as State Chairman of the Democratic Party, he limited himself thereafter to regional politics and statewide issues that had a bearing on Valley races.

In September 1901, Wells learned that the government planned to close Fort Brown. He reminded Congressman Rudolph Kleberg that since the distance to the next military post, Fort Ringgold, was over 140 miles and that the Mexican government maintained troops and military headquarters at Matamoros, Fort Brown was of strategic importance and, if for no other reason, should be maintained.<sup>60</sup> He also asked Legislators Turner, Russell, Seabury, Garner, and Nicholson to get the Texas legislature to present a protest memorial

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<sup>58</sup>Jamison to J. B. Wells, October 9, 1901; J. B. Wells to Jamison, October 9, 1901, Wells Papers.

<sup>59</sup>Jamison to J. B. Wells, October 10, 1901; House to J. B. Wells, October 10, 1901; J. B. Wells to Jamison, October 10, 1901; J. B. Wells to House, October 10, 1901, Wells Papers.

<sup>60</sup>J. B. Wells to Rudolph Kleberg, September 27, 1901, Wells Papers.



to the Texas delegation in Washington, to the President, and to the Secretary of War. In fact, he brought as much pressure as he could upon the government.<sup>61</sup> His efforts elicited a joint resolution from the legislature and promises to help from Senator Culberson, Governor Sayers, and Representatives Lanham, Tom Ball of Huntsville, C. B. Randell of Sherman, John H. Stephens of Vernon, and Dudley Wooten of Dallas.<sup>62</sup> Fort Brown was not abandoned.

About the time Wells decided not to be a candidate for governor, the legislature redistricted the state. As a member of the House congressional redistricting committee, Garner had carved out a new district, including the Valley, along lines suggested by Wells.<sup>63</sup> Bounded on the north by Val Verde, Kinney, Uvalde, Medina, Atascosa, Wilson, and Guadalupe counties and on the east by Live Oak and San Patricio counties, the twenty-two county district excluded De Witt County, Rudolph Kleberg's home. Pleased with the

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<sup>61</sup>J. B. Wells to Turner, Russell, Seabury, Garner, and Nicholson, September 1901; J. B. Wells to John H. Stephens (Vernon), October 10, 1901; J. B. Wells to Dudley C. Wooten (Dallas), October 10, 1901; J. B. Wells to T. H. Ball (Huntsville), October 10, 1901; J. B. Wells to Sayers, October 10, 1901; J. B. Wells to C. B. Randall (Sherman), October 10, 1901; J. B. Wells to Culberson, October 10, 1901, Wells Papers.

<sup>62</sup>Ball to J. B. Wells, October 5, 1901; Culberson to J. B. Wells, October 2, 1901; Russell to J. B. Wells, October 3, 1901; Sayers to J. B. Wells, October 4, 1901; Wooten to J. B. Wells, October 1, 1901; Stephens to J. B. Wells, October 2, 1901, Wells Papers.

<sup>63</sup>Garner to J. B. Wells, September 3, 1901, Wells Papers.



result, Wells assured Garner that "your reward is certain" and "at the proper time I will show you my full approval, my true friend."<sup>64</sup>

Obviously, Garner would be Wells' candidate for the congressional seat in the new district. State Senator J. B. Dibrell of Seguin first announced for the place on February 12, 1902. A few days later, after consulting with Wells on the best way to campaign in the region, Garner also entered the race. Since he was the State Chairman and was expected to be neutral, Wells made no public comment about the candidates but began to write friends in Garner's behalf.<sup>65</sup>

Since he expected little opposition to Garner in the river counties, Wells concentrated his efforts in the region along the Nueces River where a political fight threatened to erupt between Archie Parr and Walter Timon of Nueces County. When state Representative John Willacy, with Wells' blessing, had announced his candidacy for the state Senate, Parr proposed John S. McCampbell for the vacated House seat. Not willing to permit the Duke of Duval to control the nomination, some Nueces County citizens thereupon persuaded Timon to run. Learning that Timon was related to Dave Odem,

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<sup>64</sup>J. B. Wells to Garner, September 2 and 3, 1901, Wells Papers.

<sup>65</sup>Brownsville Daily Herald, February 12, 1902; ibid., February 19, 1902; Garner to J. B. Wells, February 12, 1902, Wells Papers.

who controlled San Patricio County, and sensing that he could not support Parr without prejudicing Garner's chances, Wells, through Kleberg and Willacy, made a deal whereby Odem guaranteed to instruct San Patricio County for Garner in exchange for McCampbell's withdrawal from the race.<sup>66</sup>

Writing Garner about the accord, Wells reported "S. P. [San Patricio] O.K.. This private. Shake brother."<sup>67</sup>

Even though as State Chairman he was expected to be neutral, in March, Wells publicly endorsed Garner. When Dibrell criticized him for it,<sup>68</sup> he responded that he had committed himself to Garner long before anyone had announced, and explained that, "I looked over the situation carefully and, knowing the gentleman well, I regarded him as the best equipped man who was available."<sup>69</sup> Then, turning his attention to the western portion of the district, Wells sent a message to Amador Sanchez to have Webb County instruct for Garner. Webb County instructed as requested.<sup>70</sup>

<sup>66</sup>Willacy to J. B. Wells, March 11, 1902; R. J. Kleberg to J. B. Wells, March 30, 1902; Garner to J. B. Wells, March 17, 1902, March 20, 1902, April 14, 1902, and May 4, 1902; J. B. Wells to Dave Odem (Sinton), May 22, 1902; Odem to J. B. Wells, May 22, 1902, Wells Papers.

<sup>67</sup>J. B. Wells to Garner, May 7, 1902, Wells Papers.

<sup>68</sup>Hondo Herald, March 8, 1902.

<sup>69</sup>Brownsville Daily Herald, June 18, 1902.

<sup>70</sup>J. B. Wells to Garner, April 16, 1902; Garner to J. B. Wells, April 18, 1902; W. W. Shely to J. B. Wells, April 17, 1902; J. B. Wells to D. H. Fly (Laredo), April 18, 1902; J. B. Wells to A. Sanchez (Laredo), April 18, 1902; Sanchez to J. B. Wells, April 20, 1902, Wells Papers.



Due to his diligent work particularly in San Patricio and Webb counties, Wells discouraged all opposition to Garner. After conventions in Atascosa, La Salle, Cameron, Hidalgo, Starr, Webb, and San Patricio counties had instructed for Garner, Dibrell quit the race, citing as his reason pressing business interests in New Mexico.<sup>71</sup> Left without competition, Garner was, of course, easily nominated. Years later, Wells boasted that "I put him [Garner] in Congress."<sup>72</sup>

During his term as Chairman of the State Executive Committee, Wells encountered few divisive issues. Holding to his conviction that the state committee functioned only to coordinate political campaigns and to set the time and site for state conventions and primaries, he ignored all demands to establish a uniform date for holding county nominating conventions. Declaring that changes in party procedure must be made by the party in state convention, he believed that his avoidance of such issues protected the principles of democracy. But, a growing reform movement in the state characterized this view as conducive to "machine" politics by "selfish and grasping interests."<sup>73</sup>

While in Austin, February, 1902, for a meeting of

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<sup>71</sup>Garner to J. B. Wells, March 17, May 12 and June 6, 1902, Wells Papers; Brownsville Daily Herald, June 18, 1902.

<sup>72</sup>J. B. Wells to General E. H. Crowder (U. S. Army), February 2, 1921, Wells Papers.

<sup>73</sup>Austin Statesman, January 31, 1902.



the Executive Committee, Wells obviously indicated to E. M. House that he would like a second term as chairman.<sup>74</sup> Apparently wishing to make amends for his failure to make him governor, House agreed to support him,<sup>75</sup> and, with the exception of Bailey and Culberson, the other members of "our crowd" soon signified "hearty approval."<sup>76</sup>

During the spring primary campaigns, the bitter struggles and the great amount of money expended led to a demand for uniform primaries. Wells, however, preferred the old system of holding county primaries early and at the whim of county committees because of the bandwagon effect and because it permitted him to concentrate on one county at a time. When he refused to go on record in favor of uniform primaries, Joe Lee Jamison and R. H. Baker warned him that strong opposition to his reelection was forming.<sup>77</sup> "Popular as you are, and as much as you have done for the party," Jamison continued, "I don't believe you could be re-elected . . . if you were to make a fight . . . against the uniform primaries for 1904."<sup>78</sup> On the other hand, Archie Parr, observing that victories have greater effect on politicians

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<sup>74</sup>Brownsville Daily Herald, February 26, 1902.

<sup>75</sup>Richardson, Colonel House, p. 189.

<sup>76</sup>Andrews to J. B. Wells, March 14, 1902, Wells Papers.

<sup>77</sup>Jamison to J. B. Wells, May 10, 1902; Baker to J. B. Wells, June 20, 1902.

<sup>78</sup>Jamison to J. B. Wells, April 11, 1902, Wells Papers.

than reform talk, counselled Wells to hold senatorial and congressional district conventions before the state convention and "show them how to win."<sup>79</sup> Wells remained silent.

At the July convention of the Texas Democratic Party, held in Galveston, a contest developed, as anticipated, for the party chairmanship. Wells was opposed by Joseph E. Cockrell of Dallas who had gained the support of Hogg, Culberson, and many other political leaders in North and East Texas. Frank Andrews of Houston, Jamison, W. L. Radney of McLennan County, Jake Wolters of Fayette County, and even Joe Bailey, who had never endorsed him, led the Wells forces. Providing the only real excitement of the convention, the contest resulted in an easy victory for Wells who polled over two-thirds of the vote.<sup>80</sup> To some the fight was an effort by the "Dallas Crowd" to gain revenge against House for Tom Campbell's unsuccessful gubernatorial bid; to others, it was a manifestation of the Bailey-Hogg feud since the opposition to Wells was incited primarily by Bailey, Burleson, and Culberson, who felt that he had been too dilatory. Bailey's about-face at the last moment was probably due to House's influence.<sup>81</sup>

After the balloting, Wells demonstrated his political

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<sup>79</sup>Parr to J. B. Wells, June 26, 1902, Wells Papers.

<sup>80</sup>The Galveston Daily News, July 16 and 17, 1902; Winkler, Platforms, p. 452.

<sup>81</sup>Brownsville Daily Herald, July 16, 1902; Richardson, Colonel House, pp. 188, 190.

astuteness. Evidently believing that he could aid Garner, he invited J. B. Dibrell to help write the party's platform. Although the essential parts of the platform had already been written, the gesture gained Dibrell's good will and for Garner additional votes in his district.<sup>82</sup>

Following his reelection, Wells was called upon to investigate and decide two political controversies. A race for state senator had resulted in utter confusion when Burnet County left J. H. Faubion's name off of the ballot in the primary election, and his opponent, Lee Roundtree, won the county and a bare majority of the delegates to the district convention. However, because Faubion had won the popular vote of the district, Travis County Democrats asserted that he probably would have won in Burnet County and controlled the nominating convention if his name had been on the ballot and placed his, rather than Roundtree's, name on the general election ballot. In response to an appeal by the district chairman, Wells, speaking for the State Committee, ordered a second primary in Burnet County with Faubion's name on the ballot. Roundtree won, and consequently Wells declared that he was the district Democratic

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<sup>82</sup>Brownsville Daily Herald, October 18, 1902; Winkler, Platforms, p. 447.



nominee.<sup>83</sup>

The second controversy occurred in Montgomery County. Following the county primary, a grand jury investigative report accused County Judge C. W. Nugent of malfeasance while in office. Since Nugent at the time had been renominated, pressure was placed upon County Chairman S. N. Beard to call a special convention to nominate another candidate for county judge.<sup>84</sup> But, N. A. Cravens, secretary to Governor Sayers and a Montgomery County resident, insisted that the party abide by the result of the regular convention.<sup>85</sup> Brought into the dispute by Cravens, Wells ruled that once the results of a Democratic Party primary had been declared, "such result is conclusive and final."<sup>86</sup> The anti-Nugent forces, however, refused to accept the decision, claimed that the State Chairman was against honesty and integrity in political office, bolted the party, won the November elec-

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<sup>83</sup>Afterward, Roundtree's brother, E. G., took the lead in organizing Maverick County for Garner. Austin Tribune, May 23, 1902; John H. Stanley (Burnet) to J. B. Wells, September 11, 1902; E. G. Roundtree (Eagle Pass) to J. B. Wells, August 20, 1902; McLemore to J. B. Wells, August 25, 1902, Wells Papers.

<sup>84</sup>S. N. Beard to J. B. Wells, August 4, 1902; A. W. Morris (Willis) to J. B. Wells, August 5, 1902, Wells Papers.

<sup>85</sup>N. A. Cravens to J. B. Wells, August 12, 1902, Wells Papers.

<sup>86</sup>J. B. Wells to Morris, August 14, 1902, Wells Papers.

tion, and for the next two years kept the issue alive.<sup>87</sup>

Meanwhile, Valley Republicans had planned their fall campaigns. In convention at Floresville, they selected John C. Scott of Corpus Christi to oppose Garner.<sup>88</sup> A University of Virginia law school graduate, Scott, as editor of Brownsville's The Daily Cosmopolitan in 1884, had led the fight against W. H. Crain and was still opposed to anyone supported by Wells. Lacking an issue upon which to base his campaign, he had little hope of winning the general election until Attorney General C. K. Bell, not thinking of the political implications, instituted suits on August 11 to recover title to almost one million acres of Valley land held under unperfected Mexican and Spanish deeds.<sup>89</sup> Although he said nothing for the moment, Scott blamed the suits on Wells' land bill.

Upon his return to the Valley, Wells found the people excited and ready to open the campaign. In a welcome home demonstration, several hundred horsemen and hundreds of men on foot, carrying American and Mexican flags, torch-lights, Japanese lanterns, and a life-size portrait of Wells, parad-

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<sup>87</sup>C. W. Nugent to J. B. Wells, August 31, 1902; Morris to J. B. Wells, November 5, 1902; J. B. Wells to Morris, November 8, 1902; Democratic Executive Committee to J. B. Wells, July 13, 1903; Morris to J. B. Wells, March 2, 1904; Morris to W. L. Rodney (Huntsville), March 7, 1904; Rodney to Morris, March 9, 1904, Wells Papers.

<sup>88</sup>Brownsville Daily Herald, August 2, 1902.

<sup>89</sup>Ibid., August 11, 1902.



ed from the Blue Club hall up Elizabeth Street to the Jefe's home. While "Viva Wells" filled the air, the popular leader, obviously affected by the display, walked among his friends and thanked them for the courtesy. But he realized that with the land suits and the state campaign he would have little time to lead them personally.<sup>90</sup> He had already asked Joe Bailey to speak for Garner and John Nicholson of Laredo to direct the Fifteenth Congressional District campaign.<sup>91</sup>

The congressional race opened on August 28 when Garner formally accepted the Democrat nomination at Laredo. A skilled performer from the hustings, he challenged Scott to a series of face to face debates. Unaware of Garner's skill, Scott accepted, and, in the first debate at Floresville, unquestionably came out a poor second to the self-styled "Chapparal Cock of the Frio." After a repeat debacle at Corpus Christi, Scott decided to stump alone.<sup>92</sup>

A month before the election, Republican strategy centered upon criticism of the land bill. The Corpus Christi Texas Sun charged that Wells was supporting Garner not because of his ability but as a repayment for his efforts in

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<sup>90</sup>Ibid., August 20, 1902.

<sup>91</sup>Bailey to J. B. Wells, August 22, 1902; Nicholson to J. B. Wells, September 14, 1902, Wells Papers.

<sup>92</sup>Brownsville Daily Herald, July 22, September 1 and 2, 1902; Caller (Corpus Christi), September 12 and 19, 1902; Alwyn Barr, "John Nance Garner's First Campaign For Congress," West Texas Historical Association Yearbook, XLVIII (1972), 109.



behalf of the land bill.<sup>93</sup> A San Antonio Republican journal, The Record, averred that Wells wanted the land bill so that the state could unjustly, but legally, seize the land of defenseless citizens and give it to the railroad companies.<sup>94</sup> The Crony of Corpus Christi quipped that "John Garner held the cow while Jim Wells milked her," and hinted that Wells instigated the land suits just to procure for himself fat legal fees.<sup>95</sup> Thus, the campaign against Garner became fundamentally an attack on Wells.

Using his position as State Chairman to good advantage, Wells marshalled the resources of the Democratic Party for the Garner campaign. Collecting donations primarily from vulnerable state employees and office holders, he raised well over \$2,000.00, and he persuaded R. H. Baker and E. M. House to contribute another \$2,000.00.<sup>96</sup> Although Scott's campaign manager, J. O. Luby, circulated a letter demanding contributions from all Federal employees, Republican spending failed to overcome Garner's advantage.<sup>97</sup>

Several newly emerging Republican leaders among Scott's

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<sup>93</sup>Texas Sun (Corpus Christi), October 2, 1902, Wells Papers.

<sup>94</sup>The Record (San Antonio), October 11, 1902, Wells Papers.

<sup>95</sup>Brownsville Daily Herald, November 21, 1902.

<sup>96</sup>Account Book, October 18, 1902; Numerous letters, October-November, 1902, Wells Papers.

<sup>97</sup>Brownsville Daily Herald, October 25, 1902.

supporters were especially active. E. C. Lasater of Falfurrias, Rentfro B. Creager of Brownsville, and Customs House officials C. H. Maris, Jesse Dennett, and Alfred Thorham organized strong political clubs to challenge the Wells faction. Kept informed of their activities by his reliable agent, Lonnie Bates, Wells concluded that Maris, Lasater, and Creager were so partisan that they were capable of violence.<sup>98</sup> During the previous year, District Judge Stanley Welch and District Attorney John Kleiber had complained to Governor Sayers that Maris and his chief deputy, Thorham, were interfering with the administration of justice in the Valley by bribing jurors and witnesses in an attempt to recruit felons for the Red Club.<sup>99</sup> The Brownsville Daily Herald added that the Creager dominated Red Club's purpose was to gain control of Valley government by intimidation.<sup>100</sup> After investigations by United States District Attorney Henry Terrell, Special Treasury Agents James A. McEnery and Walter Hudnall, and the Texas Rangers revealed that there was substance to the charges, Wells, fearing the possibility of bloodshed, led an unsuccessful fight to remove Maris as

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<sup>98</sup> Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>99</sup> Cameron County Grand Jury, Petition to Joseph D. Sayers, September 27, 1901, Wells Papers.

<sup>100</sup> Brownsville Daily Herald, October 21, 1901.



Collector.<sup>101</sup> When R. B. Rentfro, a powerful restraining force on Red Club activities, died in December, 1901, Wells evidently relayed his fear of political violence along the Rio Grande to state officials. Subsequently, Texas Rangers, under the command of John R. Hughes, were sent in 1902 to supervise the general election.<sup>102</sup>

In that bitterly contested election, Garner defeated Scott. He carried eighteen of the twenty-two counties in the district and won by a majority of 5,835 votes, a surprise to many Valley politicians. Most political observers gave Wells the credit for Garner's big win.<sup>103</sup> The only reported violence occurred in Zapata County where the A. P. Spohn faction, in an attempt to retain control of the county, was accused of "shooting up" opposition meetings and of moving the ballot boxes continually so that the Reformistas could not find the polling sites.<sup>104</sup> In Brownsville, Creager complained that the Republicans were not permitted to observe

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<sup>101</sup>Henry Terrell to J. B. Wells, November 20, 1901; J. B. Wells to Kleiber, December 13, 1901; Deposition of H. J. Wallace, November 22, 1901; J. B. Wells to Rudolph Kleberg, November 18, 1901, Wells Papers.

<sup>102</sup>Brownsville Daily Herald, November 3, 1902.

<sup>103</sup>Jon G. Tod, Biennial Report of the Texas Secretary of State, 1902 (Austin: Von Boeckmann, Schutze & Co., State Printers, 1903), p. 22; W. O. Bedford (Wootan Wells) to J. B. Wells, November 5, 1902; A. J. Bell (Karnes City) to J. B. Wells, November 11, 1902, Wells Papers.

<sup>104</sup>R. W. Robinson (Cerito Blanco) to J. B. Wells, October 26, 1902, Wells Papers; Brownsville Daily Herald, November 4, 1902.



the vote counting, and Maris charged that the election had been stolen. Calling the outcome a vindication of Wells' leadership, Democrats countercharged that Creager and Customs House officials, claiming to be Federal marshals, had interfered at all boxes and had dispensed considerable quantities of mescal and whiskey.<sup>105</sup> The complaints, however, resulted in no action.

Following the 1902 election, Wells for a time engaged in very little political activity. Land transactions, his law practice, and the chartering and building of the St. Louis, Brownsville and Mexico Railway almost completely removed him from politics. During 1903, the last year of his term as state chairman of the Democratic Party, he left the Valley only when necessary to perform his duties, and for more than a year he did not call a meeting of the State Executive Committee.

Wells resumed political activity in April, 1904. He presided over the Executive Committee that revised the rules of the Democratic Party. New regulations set uniform dates for primaries and provided for an early state convention to select delegates to the national party convention.<sup>106</sup> Although opposed to the changes, Wells accepted the will of the majority without complaint.

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<sup>105</sup>Ibid., November 8 and 10, 1902.

<sup>106</sup>Texas Almanac (Dallas: A. H. Belo and Company, 1904), p. 33.

At the State Convention, held on June 21 and 22 in San Antonio, Wells was among the delegates selected to attend the National Democratic Party Convention in St. Louis.<sup>107</sup> There, he heartily endorsed the national platform and voted for Judge Alton Parker, probably his first accordant vote for a presidential nominee since 1892.<sup>108</sup>

At the August State Convention, held in Houston, Wells, for the last time, presided as Party Chairman. Benignly promoting E. M. House suggestions for the party platform, he helped "our crowd" control the Convention.<sup>109</sup> Since he did not want another term, the Convention named Frank Andrews of Houston as his successor.

In the Valley, Wells likewise was politically active in 1904. Unhappy with William J. Russell's service in the legislature, he selected J. T. Canales of Brownsville, a University of Michigan graduate, to run with Seabury. Calling upon Shely, Guerra, Seabury, Closner, Lonnie Bates, and Frank Kibbe for help, he overcame considerable opposition and got Canales nominated and elected.<sup>110</sup>

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<sup>107</sup>The Galveston Daily News, June 23, 1904; Winkler, Platforms, pp. 461-462.

<sup>108</sup>House to August Belmont, n.d. [1904], Wells Papers.

<sup>109</sup>House to J. B. Wells, June 12, 1904, Wells Papers; The Galveston Daily News, August 5, 1904; Winkler, Platforms, pp. 465-470.

<sup>110</sup>Kibbe to J. B. Wells, July 12, 1904; J. B. Wells to Kibbe, July 12, 1904; L. H. Bates and Kibbe to J. B. Wells, July 14, 15, and 16, 1904; W. J. Russell to J. B. Wells,



Because he had done comparatively little during his term in Congress, Garner was opposed for reelection by many Valley Democrats. Despite the opposition, he was renominated because Wells, who perceived his potential, supported him.<sup>111</sup> However, noting the dissatisfaction, C. C. Pierce of Laredo, Republican chairman of the congressional district, initiated an intensive effort before the general election to attract dissident Democrats. His efforts in behalf of Republican candidate J. S. Morin finally led Wells to appeal to State Chairman Andrews for help.<sup>112</sup> The threat, however, was more imagined than real. In a light voter turnout, Garner captured two-thirds of the district vote, losing only Duval, Guadalupe, and Webb counties.<sup>113</sup>

After the elections of 1904, Wells and his faction completely dominated Valley politics. His good friends John Bartlett, Pepe Webb, and Celedonio Garza controlled Cameron County; R. A. Marsh, A. E. Chavez, W. S. Dougherty, and John

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July 23, 1904; William Ratcliffe to J. B. Wells, July 23, 1904; Shely to J. B. Wells, July, 1904; Shely and Seabury to J. B. Wells, July, 1904; Seabury to J. B. Wells, July 22 and 23, 1904; Seabury to Shely, July 22, 1904; W. Kelly, G. S. Fernandez, and Ratcliffe to J. B. Wells, July 23, 1904, Wells Papers.

<sup>111</sup>Robert C. Wells to Baulch, interview, July 9, 1973.

<sup>112</sup>J. B. Wells to Garner, September 30, 1904; J. B. Wells to Andrews, September 30, 1904, Wells Papers.

<sup>113</sup>J. R. Curl, Biennial Report of the Texas Secretary of State, 1904 (Austin: Gammel-Statesman Publishing Company, 1904), p. 208.



Closner were in charge in Hidalgo County; and in Starr County, J. R. Monroe was county judge, W. W. Shely was sheriff, and Jacobo Guerra was county treasurer. John Willacy was the region's state senator; F. W. Seabury was Speaker of the state House of Representatives; W. F. Timon and J. T. Canales held House seats. Stanley Welch was district judge, and John Kleiber was district attorney. In every responsible elective position in the Lower Valley, Wells' allies were ensconced.<sup>114</sup>

To complete his triumph, after a long, hard fight with the Attorney General's office, Wells won his Spanish and Mexican land grant cases. On the basis of his argument that the land holders had already paid in taxes to the state far more than the land value, the courts awarded to the defendants more than 317,000 acres, worth over a million dollars.<sup>115</sup> Professionally as well as politically, he was, for the moment, the jefe político of South Texas.

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<sup>114</sup>Ibid., pp. 100, 136, 184, 270, 281.

<sup>115</sup>J. B. Wells to E. C. Eliot, December 8, 1904, Wells Papers.

## CHAPTER IX

### POLITICS, RIO GRANDE STYLE, 1905-1910

At the height of his political power in 1905, James Wells seriously considered making another bid for the governorship. Conditions seemed excellent. Corporation heads were casting about for a new state leader to replace E. M. House, who had recently retired from the state political scene. Having heretofore relied on House to forestall sweeping change in taxation and regulation of industry, they feared that his withdrawal would encourage Democrat progressives to solve a mounting state deficit by attacking the underburdened corporations. Because Governor Lanham had displayed little inclination to resist the progressive drive, he was disregarded as the new leader. In fact, he was said to be in virtual retirement, sitting "in his office continually wringing his hands and moaning like a 'loan widow' in distress and disclaiming all responsibility for existing conditions."<sup>1</sup> Considering this development, Wells evidently reasoned that if by influence he could keep the reform impulse within sensible limits during the coming session of the

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<sup>1</sup>McLemore to J. B. Wells, January 4, 1905, Wells Papers.

legislature, conceivably, he could gain the backing of powerful conservative interests for a gubernatorial campaign.

When the Twenty-ninth Legislature convened in January, 1905, Wells exerted a strong influence through House Speaker Fred W. Seabury. Cognizant of the ways of the lower House and that unwanted legislation could often be defeated or modified in committee, he elicited promises from Seabury to name Dallas attorney Thomas B. Love chairman of the Committee on Corporations and moderate conservative A. T. McKinney of Huntsville chairman of the Committee on Constitutional Amendments. Allies J. T. Canales of Brownsville, T. D. Cobbs of San Antonio, Claude Hudspeth of Ozona, and Walter Timon of Corpus Christi were all given key committee assignments.<sup>2</sup> Also using his persuasiveness to help his friends, Wells assisted Joe Lee Jamison's widow to become Clerk of the House and Rudolph Kleberg to become Official Reporter for the Court of Criminal Appeals.<sup>3</sup>

Remaining in Austin to lobby throughout the session, Wells concentrated on bills involving mergers and the establishment of police powers over public utilities and pipe

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<sup>2</sup>J. B. Wells to T. D. Cobbs, January 5, 1905; J. B. Wells to Bob W. Brahan, January 5, 1905; J. B. Wells to Claude Hudspeth, January 5, 1905; J. B. Wells to Thomas B. Love, January 5, 1905; Love to J. B. Wells, January 6, 1905, Wells Papers; Texas, Legislature, House Journal, 29th Leg., Reg. Sess., pp. 7, 55-56, 64-65.

<sup>3</sup>J. B. Wells to McNulty, January 11, 1905; J. B. Wells to Judges, Court of Criminal Appeals, January 20, 1905; J. B. Wells to Caesar Kleberg (Norias), January 20, 1905; C. Kleberg to J. B. Wells, January 25, 1905, Wells Papers.



lines.<sup>4</sup> Through Canales, he sought to temper tax bills in favor of corporations, especially telephone companies, and to modify legislation regulating utility charges for water, gas, and electricity. A bill to prohibit telegraph and telephone companies from sending free messages died on the Speaker's table.<sup>5</sup> When the session closed with only a few moderate tax reforms enacted, Wells, satisfied that nothing revolutionary had been done, told Canales that "the present Legislature of the dear Old State of Texas is all O.K.!"<sup>6</sup>

While in Austin, Wells sought support to seek the governorship. Although at first he received little encouragement,<sup>7</sup> he was optimistic. He remarked to a friend, anxious to head off a Campbell boom in Houston, that "It is my intention to be a candidate."<sup>8</sup> Soon after the end of the legislative session he got the necessary encouragement. Chief Counsel James L. Autry and President Joseph S. Cullinan

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<sup>4</sup>J. F. Strickland (Brownsville) to J. B. Wells, March 29, 1905; James A. Baker, Jr., to J. B. Wells, April 13, 1905; James L. Autry (Texas Company) to J. B. Wells, April 7, 1905, Wells Papers.

<sup>5</sup>Texas, Legislatue, House Journal, 29th Leg., Reg. Sess., pp. 218, 478, 620, 635.

<sup>6</sup>J. B. Wells to J. T. Canales, May 3, 1905, Wells Papers.

<sup>7</sup>E. Sammons (Austin) to J. B. Wells, February 29, 1905; House to J. B. Wells, March 17, 1905; McNulty to J. B. Wells, March 28, 1905, Wells Papers.

<sup>8</sup>P. W. Hudson (Houston) to J. B. Wells, April 14, 1905; J. B. Wells to Hudson, April 28, 1905, Wells Papers.

of the Texas Company, pleased with his efforts in behalf of pipe line interests, offered financial support.<sup>9</sup> Elated that he would have solid patronage, Wells confided to a correspondent that he was in the race and would soon commence an active campaign.<sup>10</sup>

An early announcement by Wells was critical. Convinced that Tom Campbell, Oscar Branch Colquitt, and at least one other progressive would divide the reform vote, McLemore and Willacy urged him to make a prevenient entry. Hopefully, the timing would consolidate the conservative vote behind one candidate.<sup>11</sup> After a canvass of upstate allies, Willacy estimated that one conservative against the field would control one-third of the delegates to the nominating convention and would be the second choice of enough others to win nomination on the second ballot.<sup>12</sup> But, despite this and other assurances, Wells unexplicably continued to postpone his decision, "watching the stars in their courses and biding" his time.<sup>13</sup> Writing John Valls

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<sup>9</sup>Autry to J. B. Wells, April 18, 1905, Wells Papers.

<sup>10</sup>J. B. Wells to John R. Woodall, April 30, 1905, Wells Papers.

<sup>11</sup>McLemore to Wells, May 3, 1905, Wells Papers.

<sup>12</sup>Willacy to J. B. Wells, October 28, 1905, Wells Papers.

<sup>13</sup>Gordon Gaither (Chilton) to J. B. Wells, June 2, 1905; Hudson to J. B. Wells, November 17, 1905; J. B. Wells to Hudson, November 23, 1905; John A. Valls to J. B. Wells, January 15, 1906, Wells Papers.



of Laredo, he explained, "I am trying to weigh the matter dispassionately, looking to the future of my wife and children. Is the 'Game worth the candle,' Compadre? You . . . know that the world acts upon the maxim, 'The King is dead! Long live the King.'" <sup>14</sup> Thus, he revealed that his fear of defeat outweighed his ambition, and that failure in the race might result in his deposition as Rio Grande Jefe Político. When conservative Attorney General C. K. Bell announced his candidacy for the governorship, Wells realized that he had procrastinated too long.

During the primary campaigns, Wells asked his followers to help the Attorney General. And, although Mose Harris of San Antonio protested that Bell was "of cold nature, selfish, wrapped and cloaked in a mantle of egoism, and not adverse to making any sacrifice (friend or otherwise) to advance his own interests," most of the Wells faction joined their leader in endorsing the Attorney General and in helping him carry the Valley. <sup>15</sup> Ironically, after Bell lost to Tom Campbell at the State Convention, House, referring to "the late political disaster," wrote Wells, "I think you and I can make a better showing than that when you enter the lists." <sup>16</sup>

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<sup>14</sup>J. B. Wells to Valls, January 19, 1906, Wells Papers.

<sup>15</sup>Mose C. Harris to J. B. Wells, May 6, 1906; George M. Pridgen (Cuero) to J. B. Wells, May 17, 1906; Garner to J. B. Wells, July 24, 1906, Wells Papers; Barr, Reconstruction to Reform, p. 239.

<sup>16</sup>House to J. B. Wells, July 31, 1906, Wells Papers.



Abjuring further interest in elective office, Wells returned to the Rio Grande where for some time a serious challenge to his political hegemony had been developing. The situation derived from an incident, five years before, when Rangers, using informants loyal to Wells, arrested, for cattle theft, several members of the Brownsville Red Club.<sup>17</sup> Subsequently, when the state failed to prosecute successfully, the district court and a Cameron County grand jury had complained to Governor Sayers that Customs House officials C. H. Maris and Alfred Thornham perjured witnesses, provided bondsmen for the accused, and bribed jurors to demonstrate to ignorant rancheros the benefits of Red Club affiliation and Customs House protection.<sup>18</sup> Although Maris replied that the complaint had been inspired purely by "a spirit of malice and rancor," subsequent investigations by United States District Attorney Henry Terrell, Special Treasury Agent James A. McEnery, and Texas Ranger H. J. Wallace found some validity to the charges. And, a follow-up report by Special Treasury Agent Walter Hudnall predicted that Customs House interference in local politics, unless terminated, would lead

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<sup>17</sup>Charles E. Cosgrave (Rancho Capisallo) to J. B. Wells, April 21, 1901; J. B. Wells to Frank S. Ragland (Rancho Capisallo), March 24, 1901; J. B. Wells to F. S. Champion (Santa Maria), March 24, 1901, Wells Papers.

<sup>18</sup>Cameron County Grand Jury Petition to Joseph D. Sayers, September 27, 1901, Wells Papers.

eventually to bloodshed.<sup>19</sup> Shocked by these revelations, many Valley Republicans, including H. M. Field of Brownsville, disavowed Customs House politics, asserting that the Red Club represented the Creager-Maris faction only and not the Republican Party.<sup>20</sup>

Because of the allegations against the Customs officials, Wells tried to prevent Maris' confirmation as Collector for a second term. Appealing to Senators Bailey and Culberson through Henrietta King and John Kenedy, he expressed fear that bloodshed would result if Maris was reappointed.<sup>21</sup> Denying any misconduct, Maris and Thornham countered that, instead of the Red Club, it was Wells, Lonnie Bates, E. H. Goodrich, and the Blue Club who manipulated county government, extorted, and murdered for political gain.<sup>22</sup> When Wells ignored the recriminations and failed to provide evidence to support the charges against the Customs House officials, Maris was reappointed.<sup>23</sup> Since the Collector was the son-in-law of Robert Dalzell, a long-

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<sup>19</sup>C. H. Maris Statement to Sayers, copy, n.d.; Henry Terrell to J. B. Wells, November 20, 1901; J. B. Wells to Kleiber, December 13, 1901; H. J. Wallace, Deposition, copy, November 22, 1901, Wells Papers.

<sup>20</sup>J. B. Wells to Rudolph Kleberg, November 18, 1901, Wells Papers.

<sup>21</sup>Ibid.

<sup>22</sup>Affidavits of Collector Maris and Special Deputy Thornham, December 12, 1901, Wells Papers.

<sup>23</sup>U. S., Congressional Record, 57th Cong., 1st Sess., 1902, XXXV, Part 2, 1096, Part 3, 2404.



time, prominent citizen of Brownsville, the issue further divided city factions. But, of more importance, it was the opening salvo in a no-holds-barred struggle for political mastery of the Lower Rio Grande Valley.

Meanwhile, the Rangers had been campaigning vigorously against cattle rustlers in the area. Patrolling far from his Brownsville base in April, 1902, Ranger A. Y. Baker, a cousin of Lonnie Bates, allegedly caught Ramón de la Cerda branding a stolen calf on the El Sauz Division of the King Ranch in northern Cameron County. The surprised Cerda fired at the intruder but missed and then fell dead, the victim of the Ranger's bullet. Although the officer reported that Cerda was shot while resisting arrest, when it was discovered that the dead cowboy's family owned the adjoining ranch, feeling among Mexican-Texans ran high against the Rangers. Following an inquest, Baker and his partners, W. Emmett Roebuck and Harry Wallis, were charged with murder and their bonds set at \$10,000.00 each. Coming quickly to the Ranger's defense, Armstrong, Kleberg, and other large ranchers provided surety money, while Wells represented them and asked Adjutant General Thomas Scurry to send more men like Baker to the Valley.<sup>24</sup>

The killing of Ramón de la Cerda added fuel to the Red

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<sup>24</sup>J. B. Wells to Thomas Scurry, April 26, 1902; J. B. Wells to J. A. Brooks (Alice), April 26, 1902; J. B. Wells to P. J. Wells, May 27, 1902, Wells Papers; Scurry to Brooks, Letterpress, May 20-July 11, 1902, Adjutant General's Correspondence.



Club-Wells faction strife. Unsatisfied with Baker's account of the affair, Ramón's friends secretly disinterred his body and called for a second inquest. When it was revealed that Ramón had been dragged and otherwise mistreated, some powerful Red Club adherents initiated a campaign of denunciation of the Rangers. Moreover, the Cerda family, particularly Alfredo de la Cerda, made repeated threats on the life of A. Y. Baker. Although the Rangers resented the criticism and became unduly harsh with their critics, no further violence occurred until the following September 9. While returning at night to quarters supplied by Wells at his "Little Pasture" on the outskirts of Brownsville, Baker, Roebuck, and a King Ranch cowboy, Jesse Miller, rode into an ambush. Baker, who was obviously the target, escaped unscathed, probably because he was on Roebuck's horse, but the other Ranger was slain. The five or six bushwackers escaped into the darkness, but a few days later Ranger Captain J. A. Brooks and City Marshal Lonnie Bates arrested six members of the Red Club, including Alfredo, for the murder of Roebuck. When R. B. Creager, the newly appointed Federal Commissioner for the Valley, defended the accused and secured their release on bond, the Wells faction interpreted the incident to mean that the Republicans were initiating a deadly campaign to detach the rancheros from the Wells faction.<sup>25</sup>

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<sup>25</sup>Brownsville Daily Herald, September 10, 1902; William Warren Sterling, Trails and Trials of a Texas Ranger (Norman: University of Oklahoma Press, 1959, 1968), p. 323.

More violence followed. Unwilling for his assailants to go free, Baker stalked Alfredo de la Cerda on the streets of Brownsville and, on October 3, killed him. A year later, Wells won an acquittal for the Ranger when two juries found that he had acted in self-defense.<sup>26</sup> This brought a respite from what Wells believed was politically motivated violence.

Three years later, discontent within the Wells faction surfaced. Walter Timon and Nueces County Democrats worked quietly to defeat John Willacy's bid for reelection to the State Senate.<sup>27</sup> Effectively suppressing publicity about the poll tax requirement, they evidently hoped that Lower Valley leaders would forget about it. Willacy, however, uncovered the scheme and, alarmed, wrote Wells that "the enemy" in the upper counties had made sure that all of Timon's friends had paid the tax.<sup>28</sup> Wells replied that he would stir "up all our friends with a sharp stick," and thereupon asked each of his lieutenants to take prompt steps to insure Willacy's re-nomination, because "I am deeply attached" to him and desire "that no one breaks into our ranks."<sup>29</sup> Then, taking advan-

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<sup>26</sup>Ibid., pp. 324-325; Brownsville Daily Herald, September 15 and 17, 1903.

<sup>27</sup>Willacy to J. B. Wells, November 30, 1905, Wells Papers.

<sup>28</sup>Ibid., January 11, 1906, Wells Papers.

<sup>29</sup>J. B. Wells to Willacy, November 30, 1905 and January 18, 1906; J. B. Wells to Amador Sanchez (Laredo), November 30, 1905; J. B. Wells to A. M. Bruni (Laredo), November 30, 1905; J. B. Wells to Thomas A. Coleman, November 30, 1905; J. B. Wells to M. Guerra, January 17, 1906; M. Guerra



tage of a provision in the 1905 Terrell Election Law, which authorized agents in cities under ten thousand to purchase poll taxes for others, Wells and his aides made sure that each ranchero friend had a poll tax receipt. The Starr County leaders borrowed \$1,000.00 for this purpose<sup>30</sup> and then surrendered the receipts only at the polls to voters who could be trusted.<sup>31</sup>

While meeting the Timon challenge "with a sharp stick," Wells uncovered Republican plans to unseat Garner. Probably through his confidant, Mose Harris, who edited the Texas Republic, a San Antonio Republican journal, he learned that State Republican Chairman Cecil Lyons intended to replace United States Marshal George L. Siebricht in the Southern Texas Judicial District with Eugene Nolte of Seguin who would later run against Garner. Upon hearing this, Wells advised Garner to work with Bailey and Culberson for Siebricht's re-appointment and to do something for the people in Nolte's end of the district. "My plan of battle has always been like Napoleon's," he explained, "not to wait for the enemy to invade my territory, but to keep him busy holding his own

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to J. B. Wells, January 18, 1906; J. B. Wells to Closner, January 17, 1906; J. B. Wells to Gregorio Duffy and Jacobo C. Guerra (Rio Grande City), January 17, 1906; Duffy to J. B. Wells, January 17, 1906, Wells Papers.

<sup>30</sup>J. C. Guerra and G. Duffy to J. B. Wells, January 23, 1906, Wells Papers.

<sup>31</sup>J. C. Guerra to J. B. Wells, July 13, 1906, Wells Papers.



ground against me."<sup>32</sup>

In return for his political help, Garner looked after Wells' interests in Washington. He worked diligently on pension requests and persuaded the Department of Agriculture to establish a laboratory in Cameron County to study the economic feasibility of introducing foreign plants to the region. Wells regarded the plant laboratory as a good dividend on his investment and as ample reason to reelect Garner.<sup>33</sup>

During the warm, languid days before the primaries, Brownsville became deceptively quiet. Negro troops at Fort Brown wearily endured the routine of frontier duty. In town, people talked of "summering" at Point Isabel and of an approaching test of the new city electric plant. At Brazos Santiago, J. W. Vann, who had come to the Valley with Wells' encouragement, became the new Customs Collector.<sup>34</sup> Everyone seemed contented; life proceeded normally along the river; there was no indication that the region was about to enter a bloody, strifetorn decade.

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<sup>32</sup>J. B. Wells to Garner, January 15, 1906, Wells Papers.

<sup>33</sup>Garner to J. B. Wells, May 17, 1906; B. T. Galloway (Department of Agriculture) to Garner, May 3, 1906; Garner to J. B. Wells, May, 1906; J. B. Wells to A. D. Childress (Brownsville), May 7, 1906; Garner to J. B. Wells, May 9, 1906, Wells Papers.

<sup>34</sup>J. W. Vann to J. B. Wells, May 19, 1906; Canales to J. B. Wells, June 26, 1906; James L. Haynes (Laredo) to J. B. Wells, July 2, 1906, Wells Papers; U. S., Congressional Record, 59th Cong., 1st Sess., 1906, XL, Part 8, 7620, 7857.

Disorder began in Starr County. When W. W. Shely, longtime sheriff and political ally of Wells, suffered a mental disorder, a struggle over his succession erupted between his chief deputy, Gregorio Duffy, and the Guerra faction. Wells supported the Guerras but recommended that Shely, although he was bereft of reason, be retained in the post until the fall election. Duffy, with a number of his sympathizers, thereupon left the Democratic coalition. Quick to take advantage of the situation, E. C. Lasater of Falfurrias, leader of the Starr County Blue Club (Republican), circulated a petition requesting Judge Welch to remove Shely and to replace him with Duffy. Countering with unusual alacrity, County Judge J. R. Monroe, a Wells lieutenant, convened a quorum of the Commissioner's Court, had Shely resign, and named Deodoro Guerra as the new sheriff.<sup>35</sup>

The action of the Commissioner's Court split Starr County Democrats. Unwilling to accept Guerra as sheriff, Rio Grande City partisans persuaded Duffy to enter the Democratic primary. But, when County Treasurer Jacobo Guerra refused to turn over poll tax receipts to him, Duffy realized that he could not win. He consequently left the party, joined the Customs House force, and allied himself with Lasater.<sup>36</sup> Pre-

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<sup>35</sup> Monroe to J. B. Wells, July 3, 1906; Jose Peña (Rio Grande City) to J. B. Wells, July 8, 1906; Monroe to J. B. Wells, July 8, 1906; Petition of W. R. Dashiell, Arcadio Salina, and R. R. Margo, October 1905, Wells Papers.

<sup>36</sup> J. C. Guerra to J. B. Wells, July 13, 1906; C. M. Laughlin (Falfurrias) to J. B. Wells, July 13, 1906; Monroe



dicting a hard campaign, Archie Parr warned Wells that if Duffy, who was now running for sheriff as a Republican, won the general election, Lasater would run Starr County and move the county seat to Falfurrias, away from Guerra influence.<sup>37</sup>

Although the primaries were the first held under the 1905 Terrell Election Law, there was no discernable change in Valley politics. Since Wells had always relied upon his friends to control local politics, setting a uniform date for the primaries produced little change. His faction was, in essence, a group of county leaders who looked to him more as a patriarch than as a wielder of power or wealth.<sup>38</sup> In return for their loyalty, Wells gave them steadfast support and rarely questioned their methods. At each of the county conventions, he was selected, along with allies Canales, Kleiber, Seabury, Welch, and Wolters, as a delegate to the 1906 State Convention.<sup>39</sup>

While attending the State Convention in Dallas, Wells

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to J. B. Wells, July 13, 1906; M. Guerra to J. B. Wells, July 29, 1906; J. C. Guerra to J. B. Wells, August 2, 1906, Wells Papers.

<sup>37</sup>Parr to J. B. Wells, July 30, 1906, Wells Papers.

<sup>38</sup>W. B. Hopkins (Corpus Christi) to O. Douglas Weeks, "Field Notes," n.d., Wells Legal Papers.

<sup>39</sup>Proceedings, Cameron County Convention, August 4, 1906; Proceedings, Hidalgo County Convention, August 4, 1906; Seabury to J. B. Wells, August 6, 1906; P. F. Dunn (Corpus Christi) to J. B. Wells, August 8, 1906, Wells Papers.





Fig. 10. James B. Wells, ca. 1906.



Fig. 11. A. Y. Baker (upper left), Deodoro Guerra (lower right), and others.



Fig. 12. W. W. "Wash" Shely.

was shocked to learn that, on August 14, a riot had occurred in his home town.<sup>40</sup> During the summer, three companies of Negro troops had been transferred to Fort Brown. Resenting their removal to Texas where racial prejudice was particularly offensive, the peevish Black men on several occasions had voiced their discontent and otherwise provoked townsmen. Then, just before midnight, on August 13, several shots were allegedly fired from Fort Brown into a two-story house at the foot of Elizabeth Street.<sup>41</sup> Straightway, according to witnesses, a number of armed Black soldiers broke out of the garrison and shot up the town, killing one man and wounding police Lieutenant Joe Dominguez. Greatly excited, angry citizens armed quickly and prepared to drive the Negro troops from the Valley.<sup>41</sup> After one advance by the townsmen was narrowly turned back by city and county police officers, a Citizens' Committee, led by William Kelly, County Judge John Bartlett, and Mayor Fred J. Combe, petitioned Governor Lanham for military assistance to keep the peace. The officers might not be able to restrain the populace much longer, they warned, and an accidental shot could set off a full

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<sup>40</sup>Galveston Daily News, August 15, 1906.

<sup>41</sup>John Bartlett, (County Judge) el. al. to Adjutant General Hulen, August 14, 1906; Major C. W. Penrose (Fort Brown) to Hulen, August 14, 1906; M. G. Dulling (Ranger, Brownsville) to Hulen, August 14, 1906; Hulen to Bartlett, August 14, 1906; Adjutant General's Correspondence, State Library.

scale war.<sup>42</sup> Rushing back from the State Convention, Wells found a panic-stricken town, the leaders unable to convince the women and children that another outbreak was not imminent. When Governor Lanham and the Adjutant General were slow to respond to the Citizens' Committee entreaty, he threatened, by wire, to appeal directly to the people of Texas for aid "unless prompt and efficient measures are taken for the protection of our homes and our lives."<sup>43</sup> The wire elicited a prompt response that removal of the Black troopers was imminent.<sup>44</sup>

Wells' chief concern then was to conciliate civil and military authorities and to keep the populace and troops apart. Located in the heart of the riot area, one block from Fort Brown, Wells' office was an ideal place for meetings between Major C. W. Penrose, Commander of the 25th U. S. Infantry and the Citizens' Committee. After calm consultation with Penrose, Wells and District Attorney Kleiber apparently were convinced that further trouble from the garrison was unlikely and that the early removal of the troops would be best for all concerned. As preparations for the withdrawal began, however, on August 21, Ranger W. J. McDonald and District

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<sup>42</sup>William Kelly to Lanham, August 17, 1906; Bartlett, et. al. to Lanham, August 18, 1906; Hulen to Kelly, August 18, 1906; Adjutant General's Correspondence; J. W. Bailey to Bartlett, August 18, 1906, Wells Papers.

<sup>43</sup>J. B. Wells to Hulen, August 20, 1906, Wells Papers.

<sup>44</sup>Hulen to J. B. Wells, August 20, 1906; Lanham to J. B. Wells, August 20, 1906, Wells Papers.



Judge Welch arrived in Brownsville. Following a hasty meeting with Kelly and Mayor Combe, Welch, without consulting Wells, issued bench warrants to McDonald for the arrest of twelve soldiers and one civilian. The Ranger thereupon organized a posse, consisting largely of local hotheads, and demanded that the military authorities hand over the twelve accused soldiers for trial. Meanwhile, Wells and Penrose persuaded Welch that, in the interest of justice and for the safety of the town, all of the soldiers should be removed immediately.<sup>45</sup> McDonald, however, disagreed and proceeded to incite the basest racial prejudices among the angry townsmen. Fearful that he would precipitate a lynching, Welch stripped the Ranger of his authority and ordered him out of Brownsville.<sup>46</sup>

Although the Brownsville Riot has been examined in detail in two recent studies,<sup>47</sup> Wells' role in the affair remains unclear. Albeit his office was often the scene of confrontations between civil, judicial, and military authorities and he was present during most important dialogues and

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<sup>45</sup>W. J. McDonald to Lanham and Hulen, "Report of the Brownsville Outrage," n.d., Adjutant General's Correspondence.

<sup>46</sup>Hulen to J. B. Wells, August 22, 1906, Wells Papers; McDonald to Hulen, August 23, 1906; McDonald to Hulen, August 30, 1906, Adjutant General's Correspondence.

<sup>47</sup>Ann J. Lane, The Brownsville Affair: National Crisis and Black Reaction (Port Washington, New York: Kennikat Press, 1971); John D. Weaver, The Brownsville Raid (New York: W. W. Norton, Inc., 1970).

was the chief proponent of a quick removal of the troops, he apparently was not a central figure in the main events. His demand for the soldiers' removal prevailed, however, and by August 25, the 25th Infantry was enroute to Fort Reno, Oklahoma. During a subsequent Congressional investigation, Senator Culberson relied on Wells to gather evidence to refute charges made by Ohio Senator Joseph B. Foraker that the soldiers had been unjustly accused as perpetrators of the riot. Wells never ventured an opinion about the guilt of the participants or the severity of the punishment meted out to the soldiers, but the citizens affidavits he gathered for Culberson inculpated the Black men alone.<sup>48</sup>

Following the removal of the Black troops, Wells returned to the political wars. Of particular interest to him was a mounting attack on Joe Bailey. Unopposed on the preferential primary ballot in 1906, despite constant carping by his opponents, Bailey, seemingly, won a clear victory over his critics. However, in the fall, before the state legislature could act upon the nomination, Attorney General R. V. Davidson opened an inquiry into Bailey's relations with Texas oil companies. When it was revealed that the Waters-Pierce Oil Company had advanced money to Bailey during the 1900

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<sup>48</sup>Culberson to Lanham, December 7, 1906, Adjutant General's Correspondence; Culberson to J. B. Wells, December 13 and 21, 1906; J. B. Wells to Culberson, December 19 and 21, 1906, Wells Papers. In 1974, President Richard M. Nixon exculpated the surviving members of the 25th Infantry.



campaign and that subsequently he had provided legal services for that firm while serving as a United States senator, his political opponents, including a strong segment of the press, accused him of consorting with the enemies of the people. Bailey, in turn, insisted that he had a right to practice law when Congress was not in session. Indignant that anyone could think otherwise, Wells entered the controversy with a promise to help Bailey repel "the base slanders that have been heaped upon you by your enemies."<sup>49</sup> And, he fulfilled his pledge by extracting promises from the Valley legislators to vote for Bailey at the next session of the legislature. When Willacy complained that to do so would cost him considerable support, Wells tried to reassure him. "If you are making enemies by standing by dear old Joe Bailey," he wrote, "your friends, and all true Democrats, will love you better for the enemies you are thus making; please, for me, never falter in your defense of Bailey, and I shall never cease to feel grateful to you for it."<sup>50</sup>

Satisfied that for the moment he had done all he could for Bailey, Wells focused thereafter upon regional races. A letter from State Republican Chairman Cecil Lyon demanding

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<sup>49</sup>J. B. Wells to Joseph W. Bailey, October 6, 1906, Wells Papers.

<sup>50</sup>Willacy to J. B. Wells, November 1, 1906; J. B. Wells to Willacy, November 3, 1906; J. B. Wells to Frank Andrews, November 16, 1906; J. B. Wells to J. M. Standifer (Houston), November 16, 1906; W. L. Lemmon (Bailey State Committee) to J. B. Wells, December 24, 1906, Wells Papers.



contributions from all customs service employees had fallen into his hands. A rather standard political solicitation, Lyon had concluded his letter by stating, "if you are a Democrat holding a job by the grace of the Republican Administration you ought to keep quiet and not bite the hand that feeds you."<sup>51</sup> Wells soon discovered why Lyon admonished the Democrat office holders to keep quiet—the Republican leaders, reputedly, had purchased over two thousand fraudulent poll taxes in Webb County alone.<sup>52</sup> When Garner, Willacy, and others counseled him to enjoin the use there of the fraudulent poll tax receipts for voting, Wells warned that such action could be a two-edged sword, and that, consequently, they should not "poke" into the political methods of the Rio Grande.<sup>53</sup>

One month before the general election, Wells received disconcerting news from Starr County. W. M. Hanson, Texas Ranger Senior Captain and long time political ally, had learned that the Customs House faction in Rio Grande City earlier in the year had actually planned an assassination of Sheriff "Wash" Shely. Customs Inspector Fred Marks had been groomed for the killing, but the aged sheriff had

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<sup>51</sup>Cecil A. Lyon to All Customs House Office Holders, September 6, 1906, Wells Papers.

<sup>52</sup>Willacy to J. B. Wells, September 5, 1906, Wells Papers.

<sup>53</sup>Garner to J. B. Wells, October 11, 1906; J. B. Wells to Garner, October 24 and November 4, 1906, Wells Papers.

resigned before the prescribed date. Learning of the plot from Marks, who had defected, Hanson warned that a killing before the general election was still likely.<sup>54</sup> Although he doubted the old Ranger, when he received word from Seabury that the campaign at Falfurrias had become explosive and that the rancheros were confused, Wells decided to canvass personally in Starr County.<sup>55</sup> There, he found that the people were still excited over the Duffy controversy and that Hanson had correctly assessed the situation. When Judge Welch joined in the canvass, Wells warned that both could be assassinated.<sup>56</sup> Party propaganda journals further inflamed passions, particularly the Republican El Picudo ("Chattering" or, locally, "Boll Weevil") published at Rio Grande City and the Democrat El Verde de Paris (Paris Green-a boll weevil poison) printed at El Coronado Ranch.<sup>57</sup>

On election eve, both parties began to "corral" the vote. Initiating festivities with torchlight parades through Rio Grande City, Democrats then gathered at the Court House stables, while Republicans met in the corral of Don Lino

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<sup>54</sup>W. M. Hanson (Starr County) to J. B. Wells, October 3, 1906, Wells Papers.

<sup>55</sup>Seabury to J. B. Wells, October 6, 1906, Wells Papers.

<sup>56</sup>J. B. Wells to John G. Kenedy, November 6, 1906, Wells Papers.

<sup>57</sup>Celia Perez, "History of Starr County," Brownsville Daily Herald, September 25, 1928.

Hinojosa for all-night carousals. Sentries were posted to prevent the stealing of voters.<sup>58</sup> Then, a few hours before the polls opened, tragedy struck. As he lay sleeping in a hotel, Judge Stanley Welch was slain by a shot fired through the window. Although the motive for the crime was never established conclusively, Wells at first believed that it was the result of Welch's threat to convene a grand jury to investigate Duffy's handling of public funds when he was county tax collector. Later, however, he placed the blame squarely on Ed. C. Lasater and characterized the murder as "the legitimate result of Republican-Custom House politics on the Lower Rio Grande."<sup>59</sup>

Wells, who was in Brownsville at the time of the slaying, immediately wired for Rangers. Evidently afraid that Governor Lanham would send the bellicose McDonald, he specifically requested John R. Hughes or J. A. Brooks, "no one else."<sup>60</sup> But, since Hughes and Brooks were on assignments, Lanham, seemingly insensible to the situation, sent McDonald. Adjutant General John Hulen, who had a better understanding of Rio Grande politics, however, ordered Brooks to join

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<sup>58</sup>Gonzalez, "Social Life in Cameron, Starr, and Zapata Counties," p. 92.

<sup>59</sup>J. B. Wells to R. J. Kleberg, November 6, 1906; J. B. Wells to George W. West, November 7, 1906; Jake Wolters to Barry Miller (Dallas), November 1, 1915; Wolters to J. B. Wells, November 1, 1915, Wells Papers.

<sup>60</sup>J. B. Wells to Lanham, November 6, 1906, Wells Papers.



McDonald.<sup>61</sup>

While the Democrats mourned for Welch, the Customs House faction took control of the election. R. B. Creager and approximately one hundred armed men drove the "corralled" Democrats away from the Court House, and Gregorio Duffy stationed four men with Winchester rifles in front of the entrance to the polls. When asked if they were voters, Duffy replied, "No they are only some posts driven into the ground there for a rear-guard to keep out the Democrats."<sup>62</sup> Then, as other Duffy men drank and rioted on the streets, the voters either did not venture out or were refused access to the polls. Wells, who was keeping in touch with the situation by telegraph, hoped that a heavy Democratic vote at Roma and at La Grulla would offset the expected Republican majority in Rio Grande City, even though he anticipated that intimidation would also be used there.<sup>63</sup>

In pursuance of its coup d'état, the Duffy faction evidently determined to confiscate and destroy outlying election boxes. Following the balloting, a large, armed party was observed riding toward La Grulla. A few miles out of Rio Grande City, the party encountered and fired upon McDonald

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<sup>61</sup>Lanham to J. B. Wells, November 7, 1906, Wells Papers; Brooks to Hulen, November 7, 1906, Adjutant General's Correspondence.

<sup>62</sup>T. B. Skidmore (Rio Grande City) to Hulen, November 12, 1906, Adjutant General's Correspondence.

<sup>63</sup>J. B. Wells to Duval West, November 7, 1906; J. B. Wells to Willacy, November 7, 1906, Wells Papers.

and three other Rangers, apparently mistaking them for the La Grulla officials. Returning fire, the Rangers dispatched three of their assailants before the remainder capitulated.<sup>64</sup> Although the survivors claimed to be simple celebrants returning home from corral parties, they were later identified as Duffy adherents. Under the surveillance of the Rangers, the outlying election boxes were transported to the County Court and the votes counted. Once again the Guerra Democrats emerged triumphant. The Republicans then threatened to seize county offices by force, but the timely arrival of Adjutant General Hulen with the Corsicana militia forestalled further violence.<sup>65</sup>

Elsewhere in the Valley, Wells' candidates were also victorious. In a light voter turnout, Garner lost only three counties; C. F. Elkins of Brownsville and J. T. Canales were elected unopposed to the state House of Representatives; Willacy easily defeated his Republican opponent; and W. B. Hopkins of Corpus Christi, another University of Virginia alumnus, was appointed to succeed Stanley Welch.<sup>66</sup>

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<sup>64</sup>Brownsville Daily Herald, November 9, 1906.

<sup>65</sup>F. W. Kibbe to O. K. Shannon (Secretary of State), November 7, 1907; J. B. Wells to Seabury, November 15, 1906, Wells Papers; John R. Hughes to E. M. Phelps (Assistant Adjutant General), November 13, 1906; Phelps to Hughes, November 10, 1906, Adjutant General's Correspondence; Ogden K. Shannon, Biennial Report of the Texas Secretary of State, 1906 (Austin: Von Boeckmann-Jones Co., Printers, 1907), p. 200.

<sup>66</sup>Ibid., pp. 101, 152-153; Caesar Kleberg (Kingsville) to J. B. Wells, November 6, 1906; J. B. Wells to Parr, Novem-



In the aftermath of the Welch slaying, another murder and a sensational trial took place. In February, following a drinking bout with Closner, Ranger A. Y. Baker, and others at Margo's Saloon in Rio Grande City, the defeated Republican Duffy was shot and killed by Juan Morales, a Guerra adherent. Although witnesses testified that the shooting was the result of a drunken quarrel, two months later, Federal Commissioner R. B. Creager, claiming that the killing was politically inspired, brought charges against Manuel and Deodoro Guerra and Juan and Gabriel Morales for conspiracy and murder. Defended by Wells, the Guerras were never brought to trial, and the Morales brothers, charged with premeditated murder, won acquittal.<sup>67</sup>

Shortly after the Duffy slaying, one of Judge Welch's killers was arrested. Lonnie Bates, at the time a Special Agent of the Treasury Department but still one of Wells' informants, obtained evidence in Mexico that Alberto Cabrera and José Sandoval had killed Judge Welch and, afterwards, had fled across the Rio Grande. Working with Mexican authorities, Ranger Captain John R. Hughes effected the arrest and extradition of Cabrera. Sandoval remained at large, however, despite the efforts of a bounty hunter. Defended by R. B.

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ber 9, 1906; J. B. Wells, et. al. to W. B. Hopkins, November 9, 1906, Wells Papers.

<sup>67</sup>Seabury to J. B. Wells, February 12, 1907; U. S. v. Manuel Guerra, et. al., May 17, 1907, Indictment filed by U. S. District Court: The State of Texas v. Juan and Gabriel Morales, tried in District Court, Webb County, January, 1908.



Creager, Cabrera was tried in Cuero, convicted, and assessed life in prison.<sup>68</sup>

Following the general election of 1906, Wells concentrated on getting the legislature to reelect Joe Bailey. Considerable opposition to the Senator had developed in the Valley. Led by D. McNeill Turner, Nueces County Democrats demanded that their representative, Russell Savage, and the Valley delegation postpone the vote on Bailey until a special legislative committee could complete an investigation of him. Wells, on the other hand, wanted the Valley delegation to push for immediate reelection. When public pressure caused some of the Bailey supporters in the legislature to become "shaky and undecided," McLemore, Parr, Willacy, and Canales asked Wells to go to Austin because his "presence might help."<sup>69</sup> Wells went immediately, and before the investigative committee had finished its work the legislature, partially, at least, as a result of Wells' influence, re-elected Bailey to the Senate.<sup>70</sup>

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<sup>68</sup>Hughes to Hulen, November 20, 1906, Adjutant General's Correspondence; Bates to J. B. Wells, June 7, 1908; J. B. Wells to Bates, August 24, 1908; Monroe to J. B. Wells, June 20 and 27, 1908; J. B. Wells to Monroe, June 21, and July 7, 1908; Kleiber to J. B. Wells, July 2, 1908, Wells Papers; Brownsville Daily Herald, June 16, 1908.

<sup>69</sup>McLemore to J. B. Wells, January 14, 1907; Parr to J. B. Wells, January 10, 1907; Canales to J. B. Wells, January 20, 1907; Willacy to J. B. Wells, n.d., and February 3, 1907, Wells Papers.

<sup>70</sup>Texas, Legislature, Senate Journal, 30th Leg., Reg. Sess., pp. 126-131.

During the remainder of 1907, an off-year for elections, Wells was involved in very little political activity. He was instrumental through Garner, however, in nullifying promoter Lon C. Hill's attempt to persuade the government to move the proposed plant experimental station from Brownsville to Lonsboro, near Harlingen.<sup>71</sup> And, he offered advice to George C. Pendleton who was in the process of organizing statewide opposition to prohibition.<sup>72</sup> Now ailing and in his fifty-seventh year, he ignored entreaties from his closest friends to make another try for the governorship.<sup>73</sup>

In 1908, Wells again opened the political campaign by a feud with the Customs House faction. Still rankling over Republican Creager's attempt to implicate the Democrat Guerras in the Duffy killing, he learned that the Brownsville postmaster's position had been vacated and that Republican R. B. Rentfro, Jr., had been nominated for the post. Determined to oppose the Customs House faction in every way possible, he asked Garner to do his best to prevent Rentfro's confirmation. Taking the matter up with the President and Cecil Lyon, who controlled Republican patronage in Texas,

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<sup>71</sup>Garner to J. B. Wells, November 2 and 20, December 15 and 21, 1906, January 19, February 26, and June 17, 1907; B. Galloway (Bureau of Plant Industry) to Garner, December 15, 1906, Wells Papers.

<sup>72</sup>J. B. Wells to George C. Pendleton, September 27 and October 12, 1907, Dienst Collection.

<sup>73</sup>McLemore to J. B. Wells, September 2, 1907, Mose C. Harris to J. B. Wells, December 16, 1907, Wells Papers.



Garner persuaded them to withdraw Rentfro's nomination, at least for the time being.<sup>74</sup> In return for this service, Garner asked Wells to remain another term as the Congressional District Chairman since "you have carried my burden so long that I dislike for anyone else to undertake it."<sup>75</sup>

Simultaneously, Wells arranged an uneasy truce in Starr County. After being informed by Ranger Captain J. A. Brooks that E. C. Lasater, the Republican leader, intended to abandon his efforts to control county government and to work for the creation of a new county with Falfurrias as its seat, Wells fashioned an interim compromise between the Blue and Red clubs. In return for the privilege of naming precinct officers in the northern portion of the county, Lasater, rancher E. R. Rachal, and Brooks promised not to oppose the Guerras' choices for the other county offices.<sup>76</sup> Although the Guerras and Monroe distrusted Lasater, upon Wells' advice they acquiesced.<sup>77</sup> Various members of the Guerra faction thereafter occasionally tried to incite opposition to Lasater in the north precinct, but Wells was able to prevent any

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<sup>74</sup> Garner to J. B. Wells, January 7, February 12, 15, 17, March 18, and May 1, 1908, Wells Papers.

<sup>75</sup> Ibid., May 21, 1908, Wells Papers.

<sup>76</sup> Brooks to J. B. Wells, February 17, June 11, and August 15 and 29, 1908; J. B. Wells to Brooks, June 11, August 16, and September 19, 1908; E. R. Rachal to J. B. Wells, August 18, 1908; J. B. Wells to Rachal, August 24, 1908, Wells Papers.

<sup>77</sup> J. B. Wells to Monroe, August 24, 1908, Wells Papers.



serious trouble.<sup>78</sup> He later claimed that the Lasater compromise was reasonable and should have been devised, "even if there [had been] no question between us," but he was probably seeking editorial support for Garner from R. M. Curtis, editor of Lasater's Falfurrias Facts.<sup>79</sup>

While working in 1908 for a peaceful campaign in Starr County, Wells became involved in another Bailey contest. As a test of his strength, Bailey urged Texans to name only his partisans as delegates to the National Democratic Convention and asked Wells to lead the Valley campaign.<sup>80</sup> Wells accepted the job and advised his lieutenants to "spend some money . . . hold bailes . . . and place a good active man in charge" of getting out the ranchero vote.<sup>81</sup> After a relatively quiet campaign, the Valley counties returned overwhelming majorities for those pledged to support Bailey.<sup>82</sup> Although he was selected as a delegate-at-large, because of business and

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<sup>78</sup>Walter E. Caldwell (Falfurrias) to J. B. Wells, October 20, 1908; J. B. Wells to Caldwell, October 26, 1908, Wells Papers.

<sup>79</sup>Garner to J. B. Wells, March 18, 1908; R. M. Curtis to Garner, March 13, 1908; J. B. Wells to Rachal, August 24, 1908, Wells Papers.

<sup>80</sup>George M. Pridgen (Victoria) to J. B. Wells, February 19, 1908; T. N. Jones (Tyler) to J. B. Wells, March 2, 1908; McNulty to J. B. Wells, April 6, 1908; Harris to J. B. Wells, April 19, 1908, Wells Papers.

<sup>81</sup>J. B. Wells to Canales, April 27, 1908, Wells Papers.

<sup>82</sup>Clarence Ousley (Ft. Worth) to J. B. Wells, May 2, 1908; Primary Returns, copy, Wells Papers.

lack of expense money, Wells was unable to attend the national convention.<sup>83</sup>

In other state contests, Wells advocated the reelection of Governor Campbell and was active in the anti-prohibition campaign. Even though he had opposed him in 1906, he believed that Campbell deserved a second term. His endorsement brought the Governor a healthy Valley majority in the primaries.<sup>84</sup> And, after he and Willacy spoke for the Anti-Prohibition League, the people of the Lower Rio Grande voted overwhelmingly against submission of a prohibition amendment.<sup>85</sup>

Before the primary, a Blue Club dispute over the division of county offices prompted Republican Creager to develop new political strategy. When the Wells faction renominated Celedonio Garza for sheriff and Emile Kowalski for district clerk, an opposition faction led by James Browne and Frank Rabb, left the Blue Club. A mutual hatred between

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<sup>83</sup>Wolters to J. B. Wells, July 1 and 3, 1908, Wells Papers.

<sup>84</sup>J. B. Wells to J. H. Florence (Galveston), June 27, 1908; Florence to J. B. Wells, July 21, 1908; J. B. Wells to Thomas M. Campbell, July 22, 1908, Wells Papers; Texas Almanac, 1910, p. 51.

<sup>85</sup>W. R. Davie, Biennial Report of the Secretary of State for Texas, 1908, Supplemental Report (Von Boeckmann-Jones Printers, 1908), pp. 114-119; Harris to J. B. Wells, July 4, 1908; Willacy to J. B. Wells, n.d.; Jonathan Lane to J. B. Wells, August 29, 1908, Wells Papers.



Wells and Rabb quickly developed.<sup>86</sup> Sensing an opportunity, the Creager faction abandoned its Red Club-Republican appellation and organized the Independent Party and Young Democracy Club.<sup>87</sup> Enlisting the aid of John Vann, Collector of Customs, and Noah Allen, leader of Valley Populists, the new party incorporated the Browne faction, confused issues and party distinctions, and, except in Starr County where the truce was in force, bid fair to upset Democratic hegemony along the Rio Grande. Surprised by its rapid growth, Wells warned Garner that he would have a difficult time defeating the new coalition.<sup>88</sup> Garner, however, saw no need for any counter action.

In September, the Independent Party endorsed W. T. Moore for Congress. Impressed with Moore's spending, Wells again admonished Garner that his defeat was imminent; "I know what I know," he added, "and am your friend." Garner returned at once to Texas, began a spirited canvass, and persuaded the State Executive Committee to send Wells over \$600.00 for the race.<sup>89</sup> Working harder than since before

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<sup>86</sup> Canales to J. B. Wells, June 11, 14, and 17, 1908; J. B. Wells to Canales, June 12 and 17, 1908, Wells Papers.

<sup>87</sup> Ibid., August 5, 1908; R. E. Holland (Office Assistant) to J. B. Wells, August 5, 1908; McLemore to J. B. Wells, August 18, 1908, Wells Papers.

<sup>88</sup> J. B. Wells to Garner, June 13, 1908; Garner to J. B. Wells, June 15, 1908, Wells Papers.

<sup>89</sup> Deodoro Guerra and Others to J. B. Wells, September 14, 1908; J. B. Wells to Garner, September 18, September 22, 24, 30, October 3, 10, and 16, 1908; Garner to J. B.





Fig. 13. John W. Vann.



Fig. 14. Frank Rabb.



Fig. 15. Texas Rangers, ca. 1906. A. Y. Baker (second from upper left). J. A. Brooks (third from lower left).

the first Crain election, Wells personally stumped the district with Garner, and, aided by Closner, Kenedy, and Seabury, turned back the Independent challenge. The large vote polled by Moore, however, was an omen of more arduous campaigns.<sup>90</sup>

Following the election, the Independents employed new strategy. According to Mose Harris, editor of the Texas Republic, Cecil Lyon planned to harry Wells by naming Creager as Collector of Customs and John Vann as a special treasury agent. The latter was to be assigned to Roma to harrass the Guerras. Moreover, Wells learned that Theodore Roosevelt personally had offered to endorse the Vann appointment "to aid in hanging those 'cowardly assassins of poor Duffy'."<sup>91</sup> Shocked that the President would become involved, Wells asked Harris to keep him informed of any further developments that "I may be able to protect myself, personally, as from the 'Lordless, . . . scoundrels that ever disgraced God's

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Wells, September 22, 23, October 3, and 10, 1908, Wells Papers.

<sup>90</sup>Closner to J. B. Wells, October 7 and 11, 1908; A. M. Barton (Governor's Secretary) to J. B. Wells, October 8, 1908; J. B. Wells to Love, October 10, 1908; J. B. Wells to A. B. Storey (State Chairman), October 19 and 26, 1908; Love to J. B. Wells, October 10, 1908; Storey to J. B. Wells, October 9 and 19, 1908; J. B. Wells to Kenedy, October 19, 27, and November 5, 1908; Kenedy to J. B. Wells, November 4, 1908; Willacy to J. B. Wells, October 23, 1908; J. B. Wells to Willacy, October 26, 1908, Wells Papers; Davie, Biennial Supplemental Report, 1908, pp. 17, 19-22, 46-83.

<sup>91</sup>"Sabes" (Harris) to J. B. Wells, n.d. [1908], Wells Papers.



footstool, '-as you know them to be."<sup>92</sup> He then asked Garner to try to get Senators Bailey and Culberson to hold up Creager's confirmation as Collector. Since Roosevelt was leaving the presidency in a few months, he hoped to convince his successor, William Howard Taft, that Lyon and Creager in violation of Civil Service regulations had blatantly intervened in local politics.<sup>93</sup> Garner succeeded in getting the two Texas senators to delay Senate confirmation of Creager,<sup>94</sup> but the action enraged Lyon, who apparently determined to unseat Garner in the next election.<sup>95</sup>

While Garner contested with Lyon, Wells joined his Valley neighbors in hosting William Jennings Bryan. Since he had directed Bryan's Valley campaign and had contributed generously, he was asked to make arrangements for the Great Commoner, who, wanting only a rest after his strenuous campaign, advised that "it is not necessary to have a meeting there merely to please me for I can go several days without making a speech." Wells gave a dinner party and then arranged a land purchase in Hidalgo County for his distin-

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<sup>92</sup>J. B. Wells to Harris, December 17, 1908, Wells Papers.

<sup>93</sup>J. B. Wells to Garner, December 17, 1908; Garner to J. B. Wells, December 10 and 19, 1908, Wells Papers.

<sup>94</sup>J. B. Wells to Garner, January 2 and February 6, 1909; Garner to J. B. Wells, January 4, 9, 16 and February 1, 1909, Wells Papers.

<sup>95</sup>Garner to J. B. Wells, March 3 and 11, 1909, Wells Papers.



guished guest.<sup>96</sup>

Soon after Bryan's departure, Wells became involved in another Starr County controversy. Numerous complaints that the Guerra-dominated Commissioner's Court was mishandling public funds had aroused the ire of Governor Campbell, who sent Monta Moore, a lawyer from Cameron, to investigate. After a short inquiry, Moore delivered a scathing indictment of the Guerras, recommended that the Governor replace the entire county administration, and placed the matter before the district court. But, after listening to Wells' argument that Moore had been unduly influenced by John Vann and other Guerra opponents, the district court took no action.<sup>97</sup>

By this time, Wells was already worrying about the approaching 1910 election. His anxiety derived from a warning by Randolph Robertson, a confidant and employee of the Laredo Customs House, that Creager, who by now had been confirmed as Customs Collector, was secretly having an anti-Wells Federal grand jury selected to harass Democrats in

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<sup>96</sup>W. J. Bryan to J. B. Wells, October 20 and November 24, 1908; J. B. Wells to Bryan, October 26, 1908; J. B. Wells to Samuel W. Fordyce, November 28, 1908; Deed, John J. Conway to William Jennings Bryan, 120 acres, La Lomita, Hidalgo County, January 14, 1909, copy, Wells Papers.

<sup>97</sup>Canales to J. B. Wells, March 30, 1909; James N. Wilkerson (Rio Grande City) to Galveston News, n.d.; John R. Hedges (Galveston) to Fred E. Marks (Rio Grande City), March 29, 1909; Monta J. Moore to T. M. Campbell, copy, May 9, 1909, Wells Papers.

Webb County.<sup>98</sup> He also feared that Creager would exploit a developing rift between Manuel Guerra and J. R. Monroe over the Starr County ticket.<sup>99</sup> As a counter measure, Wells endorsed Democrat Oscar B. Colquitt for governor and invited him to campaign in the Valley.<sup>100</sup>

When Colquitt was unable to come to the Valley, Wells made a vigorous personal canvass. First, he effected a compromise in the Guerra-Monroe dispute that permitted him personally to select the Starr County ticket. Naming equal numbers of Guerra and Monroe adherents, he appeased Rio Grande City Democrats, who thereupon turned back a budding Independente movement.<sup>101</sup> In Webb County, Wells brought Amador Sanchez, John Valls, and A. M. Bruni into a coalition that gave the Democrats their best chance for a victory there in a decade.<sup>102</sup> In Cameron County, however, he was unable to

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<sup>98</sup>Randolph Robertson to P. J. Wells, n.d., Wells Papers; U. S., Congressional Record, 61st. Cong., 1st Sess., 1909, XLIV, Part 1, 51, Part 2, 2114.

<sup>99</sup>Guerra to J. B. Wells, July 10, 1910; Monroe to J. B. Wells, July 13 and 16, 1910, Wells Papers.

<sup>100</sup>O. B. Colquitt to Parr, January 4 and 10, 1910; Colquitt to Jewel P. Lightfoot (Attorney General), March 4, 1910; Colquitt to J. B. Wells, March 4, 1910, Colquitt Papers, Library, University of Texas.

<sup>101</sup>M. Guerra to J. B. Wells, July 14, 1910; Jacobo C. Guerra to J. B. Wells, July 27, 1910; Monroe to J. B. Wells, July 28, 1910, Wells Papers; The Texas Almanac, 1912, p. 70.

<sup>102</sup>John A. Valls to J. B. Wells, July 1, 1910; J. B. Wells to Valls, July 2, 1910, Wells Papers.



cope with opposition led by Independents Lon C. Hill and Frank Rabb. Because the local Democratic coalition fragmented when it failed to agree on candidates, the Independents won control of the Brownsville City Council.<sup>103</sup> In other races, the Valley district voted overwhelmingly for Colquitt and against submission of a prohibition amendment.<sup>104</sup>

Following the primaries, Wells delivered what he believed to be a death blow to the Independent movement. He obtained a ruling from the Attorney General that political clubs without a state executive committee were not entitled to have candidates on an official ballot.<sup>105</sup> Then, physically exhausted by his exertions during the primary, he turned over the chairmanship of the Fifteenth Congressional District to Louis Cobolini of Brownsville and cautioned Garner to wage a strong campaign because "the enemy is making a desperate fight for political control" and had spent over \$14,000.00 along the Rio Grande. However, pleading illness and correctly surmising that the Wells-Closner-Guerra-Parr coalition would easily carry him once more to

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<sup>103</sup>M. Dougherty (Cameron County) to J. B. Wells, February 1, 1910; Frank Putegnat (Brownsville) to J. B. Wells, July 6, 1910; Cameron County Democratic Party Proceedings, July 30, 1910, Wells Papers.

<sup>104</sup>Certification of Returns, copy, J. B. Wells to A. B. Storey (State Chairman), Wells Papers; Texas Almanac, 1912, pp. 42-45, 63-72.

<sup>105</sup>Colquitt to J. B. Wells, March 4, 1910, Colquitt Papers.



victory, Garner refused to stump the district.<sup>106</sup> Without their names on the ballot, the Independents posed no real threat, and Wells' candidates easily emerged victorious.<sup>107</sup> Nevertheless, political conditions in the Valley were changing; the influx of new farmers and the increasingly aggressive spirit of the Independent-Republican Party were weakening the aging Jefe's political influence.<sup>108</sup>

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<sup>106</sup> Cameron County Democratic Party Proceedings, July 30, 1910; J. B. Wells to Garner, October 8, 1910; Garner to J. B. Wells, September 5 and October 3, 1910, Wells Papers.

<sup>107</sup> Texas Almanac, 1912, pp. 43, 58-60, 63-70.

<sup>108</sup> J. B. Wells to Parr, October 8, 1910; Parr to J. B. Wells, October 6, 16, and 25, 1910, Wells Papers.

## CHAPTER X

### BELEAGUERED JEFE, 1911-1915

With the coming of the railroads and the beginning of irrigation agriculture, the Lower Valley changed rapidly. Encouraged by Wells, Kleberg, Closner, and other landed interests, townsite promoters and land salesmen perceived the possibilities of the country, purchased vast acreages, and publicized nationally the salubrious climate and productive soil. After clearing the land, building irrigation systems, and planting groves, the development companies of T. J. Hooks, John Shary, W. E. Stewart, Lon Hill, Elmer and Lloyd Bentsen, and many others brought in homeseekers by the train-load and, by high pressure sales techniques, sold hundreds of small tracts. Between 1900 and 1910, when the boom was in its initial stage, the number of farms in Cameron and Hidalgo counties increased from 990 to 1,386, and the population grew correspondingly from 22,932 to 40,886.<sup>1</sup> The thousands of immigrants rapidly converted the ranchos into farms and towns and drastically and irremediably altered the social system. Comprehending the significance of the ethnic

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<sup>1</sup>U. S., Bureau of the Census, Twelfth Census of the United States: 1900 Agriculture, I, pp. 125-126; Texas, Legislature, House Journal, 32d Leg., Reg. Sess., p. 1553.

and social transformation, Wells certainly realized, probably with misgivings, that the political system would also change. The day of the boss politician was almost over.

The newcomers were appalled by Rio Grande politics. Chiefly people of moderate circumstances and moderate educational attainment, they could not and would not understand the ranchero's reliance upon his leader for political decisions. Segregated from native inhabitants in their irrigation communities, the new colonists condemned Mexican-Texans as too ignorant and unfit to participate in the democratic process. As for the political jefes, Closner, Tom Coleman, Patt Dunn, Caesar Kleberg, Guerra, Parr, and Wells, the Anglo farmers presumed that the bosses manipulated the ranchero vote for their own economic benefit. The newcomers thus accelerated and strengthened the political assaults upon Wells.

Beginning the decade somewhat as he had the previous one, Wells pondered another gubernatorial appointment. After having vigorously and successfully supported Oscar Branch Colquitt for governor, he was offered in 1911 a seat on the Court of Civil Appeals at San Antonio. Although Garner begged him to take the judgeship and move away from border political strife, he refused the offer when Archie Parr importuned, "What would all of us down here do without you[?]"<sup>2</sup>

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<sup>2</sup>Parr to J. B. Wells, September 8, 1911; M. F. Onion. [San Antonio] to J. B. Wells, September 9, 1911; Garner to J. B. Wells, September 21, 1911, Wells Papers.



With the Creager faction in control of the Brownsville city council and threatening Garner, it was no time to back away from a fight.

Still convinced that the best defense was "to keep the enemy busy holding his own ground against me," early in 1911 Wells launched a new political offensive against Creager. He opened the attack by having his former henchman, Treasury Agent Lonnie Bates, send to Secretary of the Treasury Franklin McVeagh a long list of complaints. According to Wells and Bates, Creager had become, in violation of Civil Service regulations, the leader of a local Independent Customs House Party; he had published inflammatory articles about Brownsville citizens; he had permitted Customs employees to campaign during Brownsville city elections; he had appeared in court continually as the attorney for "political henchmen"; he had backed Customs Inspectors F. E. Starck and Antonio Yznaga for Cameron County Tax Collector and Tax Assessor and Deputy Collector Juan Hinojosa for County Judge of Starr County; and, to gain their political support, he had offered Customs House positions to incompetents. His activities prior to the last election had inflamed the public to the point that the State Adjutant General had sent to the area three companies of Rangers. Appended to the report was a request from District Judge W. B. Hopkins, Robert J. Kleberg, Kleiber, Kenedy, and many others for an investigation.<sup>3</sup>

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<sup>3</sup>Bates to Franklin McVeagh, copy, n.d., [1911];

The unexpected charges placed Creager and the Republican Administration in an awkward position. When McVeagh failed to take any action, Wells and nineteen other Brownsville Democrats protested to Senators Bailey and Culberson and to Congressmen Garner and George Burgess that not only the customs collector but the federal commissioner, the Brownsville postmaster, a federal deputy marshal, and twelve customs inspectors had formed a party and selected candidates for the coming Brownsville city election.<sup>4</sup> Demanding an immediate investigation of the charges, Bailey warned Postmaster General Frank H. Hitchcock that "mere denial of misconduct" would not be sufficient.<sup>5</sup> To a subsequent Administration inquiry, however, Creager denied, though falsely, that he had practiced law since his appointment and that he had permitted customs employees to participate in local elections. Furthermore, since Starck, Yznaga, and Hinojosa, who had run for office, were "innocent of any intent to violate the rules," the entire matter should be dropped.<sup>6</sup> Evidently satisfied, McVeagh did not pursue the subject until Bailey criticized him for considering the "charges adequately inves-

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McVeagh to Creager, March 11, 1911, Wells Papers.

<sup>4</sup>S. H. Bell, et. al., to Bailey, Culberson, Garner, and Burgess, copy, March 14, 1911, Wells Papers.

<sup>5</sup>Bailey to Frank H. Hitchcock, copy, March 9 and 18, 1911, Wells Papers.

<sup>6</sup>Creager to McVeagh, copy, March 21 and April 12, 1911; J. F. Curtis (Acting Secretary) to Creager, copy, April 6, 1911, Wells Papers.

tigated by asking the man charged." Soon thereafter, a treasury agent began a probe.<sup>7</sup>

The result, however, was disappointing to Wells. The Brownsville City Council, under the domination of the Red Club, began to harass the Democrats, according to Wells, by discriminatory taxation.<sup>8</sup> Moreover, the Creager faction spread a rumor that Congressman Garner, at Wells' behest, was fighting a treaty which called for better Rio Grande water distribution between the United States and Mexico. More specifically, Garner was accused of delaying Boundary Commission funds until that agency agreed to sanction water apportionment with no riparian rights to Closner's and Wells' properties. Although Wells, to the contrary, asked Garner to fight for the protection of riparian owners and the Congressman amassed impressive evidence to refute the charge against him, the allegation seriously damaged Wells' image among the Rio Grande irrigation communities.<sup>9</sup>

Meanwhile, Wells led Valley wet forces in another prohibition election. Early in 1911, the legislature finally

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<sup>7</sup>Bailey to McVeagh, copy, April 29, 1911; Garner to J. B. Wells, May 29, 1911, Wells Papers.

<sup>8</sup>J. B. Wells to R. J. Kleberg, March 17, 1911; Caesar Kleberg to J. B. Wells, April 9, 1911, Wells Papers.

<sup>9</sup>J. L. Crawford (San Benito) to Garner, April 13, 1911; D. J. Foster (Representative, Vermont) to Garner, April 17, 1911; Anson Mills (Boundary Commission) to Garner, April 17, 1911; P. C. Knox (Secretary of State) to Garner, April 18, 1911; Garner to Crawford, April 11, 1911; Garner to J. B. Wells, April 21, 28, May 15 and 17, 1911; J. B. Wells to Garner, May 22, 1911, Wells Papers.



heeded the wishes of the voters and authorized a July referendum on a prohibition amendment. As a local chairman of the Anti-Statewide-Prohibition Organization, Wells believed that an anti-prohibition victory depended on a heavy wet vote in the Valley. Identifying the Creager-Rabb faction with the drys and the Progressives, he campaigned vigorously, and the Valley counties rejected the amendment by a 3,255 vote majority. Statewide, the measure failed by only 6,297 votes.<sup>10</sup>

In contrast to the anti-prohibition victory, Wells and the Blue Club failed in an especially bitter Brownsville city election. Determined to regain control of city offices, they made an intensive effort in 1912 to bring out a large Democratic vote. Just as active, but in noncompliance with Treasury Secretary McVeagh's directive to refrain from local politics, customs inspectors implemented counter efforts to get out a large Red Club vote.<sup>11</sup> By election day, Winchesters and pistols were everywhere in evidence, and the Rangers had been called in to preserve order.<sup>12</sup> The balloting resulted in a narrow Red Club victory. But, claiming that

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<sup>10</sup>John A. Hulen (Austin) to J. B. Wells, February 7, 1911; J. B. Wells to Hulen, July 29, 1911, Wells Papers; C. C. McDonald, Biennial Report of the Texas Secretary of State, 1912 (Austin: Von Boeckmann-Jones Co., 1912), pp. 138-141.

<sup>11</sup>McVeagh to Creager, copy, March 16, 1912; Garner to Bell, March 18, 1912, Wells Papers.

<sup>12</sup>Brownsville Daily Herald, April 3, 1912; John Stephenson (Corsicana) to J. B. Wells, April 13, Wells Papers.

all votes for their candidates were not counted, that the returns were not opened for inspection, that many of the Red voters were aliens, and that minors were allowed to cast votes for the Red ticket, Wells and the Blue Club contested the outcome.<sup>13</sup> After a seven-month investigation and trial, the Twenty-eighth District Court ruled that the election was "illegal and void" and that the prior administration was to retain office until the next election.<sup>14</sup> The decision, of course, left power in the hands of the Red Club. More than a year later, Judge W. B. Hopkins also held that the ballots had been printed incorrectly by the dominating Reds and that election officials had illegally paired illiterate Blue voters with illiterate Red voters. Since a majority of the voters, he reasoned, were Blue and illiterate and, thus, unable to find a partner, many Blue supporters did not get to vote. Otherwise, the Blue, rather than the Red, Club would have won the election.<sup>15</sup>

Wells, however, thwarted Red Club hopes for a 1912 general election victory in Cameron County. In October, he obtained a court order restraining County Clerk Pepe Webb from placing the names of Independent candidates on the of-

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<sup>13</sup>The State of Texas Ex-Rel Frank Alsedo v. B. L. Cain, April 30, 1912, District Court, Brownsville.

<sup>14</sup>The State of Texas Ex-Rel John Kleiber v. A. B. Cole, November 20, 1912, 28th District Court, Brownsville.

<sup>15</sup>The State of Texas Ex-Rel Louis Cobolini v. A. B. Cole, December 30, 1913, 28th District Court, Brownsville.



ficial ballot because of alleged violations of the Terrell Election Law. The Independents thereupon obtained a temporary restraining order preventing the County Clerk from issuing election supplies.<sup>16</sup> After a hearing on both restraining orders, ballots were distributed without the names of Independent candidates for county posts, and the Blue Club swept to victory.<sup>17</sup>

Simultaneously, Wells was active in state politics. In 1911, when maneuvering for the Democratic presidential nomination began, he opposed Woodrow Wilson because he could not agree with his tariff proposals. Instead, he gave his support to Ohio Governor Judson Harmon who advocated protection for raw materials. "You are the only Democrat," he wrote Harmon, "who can, or should be, elected President."<sup>18</sup> Most of Wells' friends joined in supporting Harmon, but many influential Valley Democrats, including Frank Rabb of Brownsville, favored Wilson.

Rabb, who headed the Wilson organization in the Valley, determined to challenge Wells in open convention for control of the Cameron County delegation. But, the Jefe deemed an open assembly unwise. Averse to apostate par-

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<sup>16</sup>Caller and Daily Herald (Corpus Christi), October 29, 1912.

<sup>17</sup>Texas Almanac, 1914, pp. 54, 59.

<sup>18</sup>Judson Harmon to J. B. Wells, August 21, 1911; C. L. Bass (San Antonio) to J. B. Wells, August 24, 1911; J. B. Wells to Harmon, August 26, 1911, Wells Papers.



ticipation in party councils and unwilling to forgive Rabb for his defection in 1908, County Chairman Wells held the 1912 county convention without notifying the Rabb faction of either its time or place and persuaded it to name a pro-Harmon delegation to the state convention. Rabb thereupon organized a pro-Wilson rump delegation.<sup>19</sup>

At the State Democratic Convention, which met in Houston on May 28, 1912, Wilson supporters were in command. The Convention ousted Wells, who had presided over the Harmon caucus, and seated the contesting Rabb delegation. Furthermore, it named Rabb as an alternate to the national convention. The Wells faction was completely routed.<sup>20</sup>

Following the Houston convention, Wells worked feverishly to recoup. He and his friends controlled the county conventions called to choose delegates to the second State Democratic Convention and organized for Governor Colquitt a smashing primary victory in the Valley.<sup>21</sup> Apparently satisfied with their May successes, Rabb and the Independents offered little opposition. When the second State Democratic Convention met in August in San Antonio, Wells led a solid Valley delegation that renominated Colquitt, placed Walter F.

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<sup>19</sup>Evan Marcus Anders, "James B. Wells and the Brownsville Patronage Fight, 1912-1917" (unpublished Master's Report, University of Texas, Austin, 1970), p. 12; San Antonio Express, December 19, 1912.

<sup>20</sup>Galveston News, May 29 and 30, 1912; Winkler, Platforms, pp. 557-563.

<sup>21</sup>Ibid., p. 651.

Timon of Corpus Christi on the platform committee, and re-named Archie Parr to the State Executive Committee.<sup>22</sup>

Having regained control over Valley politics, Wells hastened to make peace with the Wilson supporters. Although he continued to have reservations about the New Jersey Governor, as the campaign entered its final month and the chances of a Democrat victory appeared excellent, he followed Colquitt's advice and contributed to the National Committee.<sup>23</sup>

Then, after Wilson was elected, Wells wanted a share in the patronage. He and Colquitt asked for the appointment of Parr to the collectorship at Laredo.<sup>24</sup> The progressive Democrats, however, wanted Frank Rabb, and among Rabb's supporters were several prominent leaders, including Secretary of State William Jennings Bryan, who had met Rabb during his 1908 visit to the Valley, Senator Morris Sheppard, who had been strongly opposed in the Valley for his prohibitionist stand, T. W. Gregory, a special assistant to the Attorney General, Railroad Commissioner Earle B. Mayfield, and Austin attorney W. F. Ramsey.<sup>25</sup> Nevertheless, Wells decided to seek the nomination for Parr or, if he was not

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<sup>22</sup>San Antonio Express, August 14 and 15, 1912; Winkler, Platforms, pp. 576-588.

<sup>23</sup>Colquitt to J. B. Wells, September 25, 1912, and January 25, 1913, Colquitt Papers.

<sup>24</sup>Colquitt to Parr, December 5, 1912, Colquitt Papers.

<sup>25</sup>W. F. Ramsey to Garner, January 21, 1913; Earle B. Mayfield to Garner, January 23, 1913; Garner to J. B. Wells, January 26, 1913, Wells Papers.



acceptable, for his son, Joe Wells, and asked Garner to solicit Culberson's help. "Senator Culberson is [suddenly] quite reserved," Garner replied, and "I doubt whether Joe Wells," or anyone else from the Wells faction "has much of a chance."<sup>26</sup> "Neither of us supported President Wilson for the nomination; . . . neither did we support the junior Senator from Texas, and that he cordially dislikes us is certain." Moreover, "the delegates to the Baltimore Convention look upon us as re-actionaries, and out of harmony with the Democratic Party," and Burleson "has used effective methods to discredit your prestige."<sup>27</sup>

Governor Colquitt and a group of local officials joined Wells and Garner in opposition to Rabb. The Governor urged House, Wilson, Senator Culberson, Secretary of the Treasury W. G. McAdoo, and Attorney General James C. McReynolds not to support anyone, especially Rabb, who was hostile to the Texas administration. Furthermore, Rabb was unsuited for a border post because he had meddled in Mexican affairs;

. . . the principal trouble we have along the Rio Grande border arises out of the influence of Federal office holders with the Mexican population. I think the statement that Federal office holders promoted or aided in the Madero revolution against the Diaz government, can be substantiated without difficulty. That they violated the Neutrality laws constantly is, I think, not denied.<sup>28</sup>

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<sup>26</sup>Ibid., March 23, 1913; Garner to Parr, March 23, 1913, Wells Paper .

<sup>27</sup>Garner to J. B. Wells, July 1, 1913, Wells Papers.

<sup>28</sup>Colquitt to McAdoo, March 11, 1913; Colquitt to House, March 24, 1911, Colquitt Papers.





Fig. 16. John N. Garner.



Fig. 17. James B. Wells, ca. 1917.



Fig. 18. Charles Culberson.

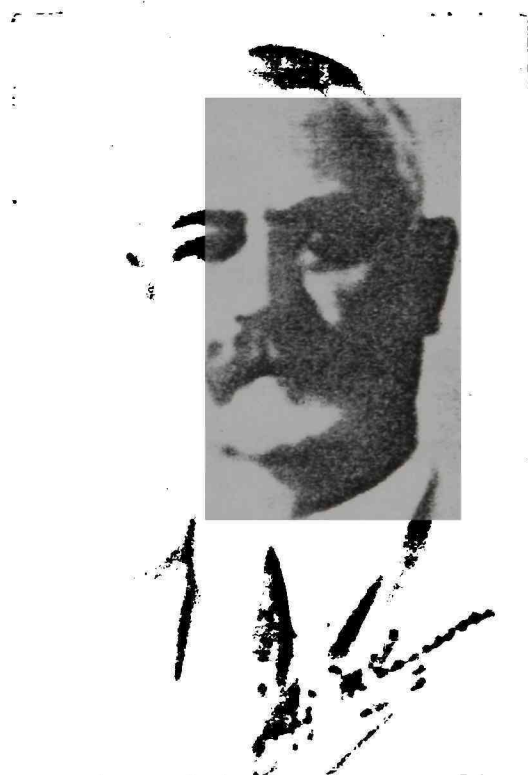


Fig. 19. Jeff McLemore.

Complementing Colquitt's disapprobation, a petition signed by sixty local officials accused Rabb of "active partisanship and constant association with the agents, officers, and soldiers of the Carranza army immediately preceding and following the battle of Matamoros." According to Harbert Davenport, a youthful Wells associate, Rabb urged Mexican refugees who fled the battle to return and to transfer allegiance to Carranza.<sup>29</sup> After receipt of the petition, Senator Culberson announced that he would support Roger Byrne of San Antonio, a compromise candidate, for the post.<sup>30</sup> Byrne possibly would have gotten the appointment, but Culberson, who was suffering from Bright's disease, left Washington to convalesce, and Treasury Secretary McAdoo refused to consider anyone who did not have the personal endorsement of a least one senator from his state. McAdoo would delay a recommendation, however, until he had conferred with Culberson.<sup>31</sup>

Shortly thereafter, international considerations caused the Administration to reconsider. Deteriorating relations with Mexico prompted Bryan, McAdoo, and Wilson to conclude that a reliable administration friend was needed

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<sup>29</sup>Petition, June 18, 1913; Harbert Davenport to Sam Rayburn (Washington), June 20, 1913, Rabb File, Treasury Department, NA, RG56. Cited in Anders, "James B. Wells and the Brownsville Patronage Fight, 1912-1917," pp. 19-20.

<sup>30</sup>Garner to J. B. Wells, July 3, 1913, Wells Papers.

<sup>31</sup>Ibid., June 4, 1913; C. W. Journey to McAdoo, August 9, 1913; McAdoo to Journey, August 15, 1913, Wells Papers.



immediately on the border. Accordingly, in late August, Rabb was nominated by the President as Collector for the combined Brazos Santiago and Laredo districts.<sup>32</sup> To block the nomination, C. W. Journey, Culberson's secretary, sought, but failed to obtain, permission from Culberson's wife, Sally, to oppose the appointment.<sup>33</sup>

Journey, nevertheless, defended Wells' position to the President. During their visit, the President stated that he had been informed by Senator Sheppard that the small vote he had received in the Valley was due to the illegal tactics of the Wells faction. Journey explained that it was a physical impossibility for any person to control a district of twenty-eight counties, four hundred miles long and almost two hundred miles wide, with a population of 200,000 that cast only 20,000 votes. Wells, he continued, only controlled, through his friends, a few county posts and the Congressional District Committee. When Wilson then charged that Wells tried to control nominations in his district, Journey rejoined that anyone had that right as long as the choices were ratified by the voters. Sheppard was unpopular in the Lower Valley, he explained, because he favored duty free raw materials, was an ultra-prohibitionist, and supported female suffrage, all opposed by the vast majority of the Valley people.

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<sup>32</sup>U. S., Congressional Record, 63rd Cong., 1st Sess., 1913, L, Part 4, 3857, 4090.

<sup>33</sup>Sally H. Culberson to Journey, copy, August 31, 1913; Journey to J. B. Wells, September 12, 1913, Wells Papers.



Finally, he denounced Rabb for boasting that he would fight Garner from the Customs House. Wilson replied that he was "sorry Rabb said that," but Rabb's nomination would not be withdrawn.<sup>34</sup>

The Rabb appointment was by no means the only political situation disturbing the Wells faction. For several years, a row between Archie Parr of Benavides and E. C. Lasater of Falfurrias over the formation of new counties in South Texas had threatened to embroil the political community. The dispute began when Lasater, who was almost ninety miles from his county seat, Rio Grande City, petitioned the legislature in 1909 to fashion a new county around Falfurrias. But, because the proposal included a portion of Duval County, Parr opposed it, and the bill died on the Speaker's table.<sup>35</sup>

For a time, Wells did not become involved in the dispute. The 1908 compromise he had arranged in Starr County permitted Lasater a free hand in the Falfurrias region. Parr's opposition was strictly a local matter. Since Wells offered no objection, Lasater tried again.<sup>36</sup> The resultant struggle eventually involved the majority of the South Texas jefes and led to the dissolution of the Wells faction. The

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<sup>34</sup>Jurney to J. B. Wells, September 22, 1913; J. B. Wells to Jurney, September 29, 1913, Wells Papers.

<sup>35</sup>Texas, Legislature, House Journal, 31st Leg., Reg. Sess., pp. 155, 1141.

<sup>36</sup>Texas, Legislature, Senate Journal Supplement, 36th Leg., Reg. Sess., p. 766 (hereafter cited as Texas, Senate Journal Supplement, 1919).

Parr-Lasater fight, thus, was the initial episode in the decline of Wells' political predominance.

In 1911, Lasater's ally, Representative J. A. Brooks, submitted a bill to incorporate portions of Hidalgo, Starr, and Zapata counties into a proposed Falfurrias County. Since there appeared to be no opposition, the bill was reported favorably out of committee. But then, averring that the proposed county would be dominated by a Republican machine, Representative Patt Dunn of Corpus Christi, a friend of Parr, presented a protest petition signed by over one hundred Falfurrias residents and offered a substitute bill that provided for the creation of Ross County with substantial changes in territory.<sup>37</sup> D. B. Chapin of Hidalgo County, also opposed to Lasater, proposed the creation of Jim Hogg County from territory included in the Brooks bill. During the ensuing hot debate over the three proposals, Parr directed Dunn to "go down there and tell Lassater [sic] that we will all get together and give him his county just as soon as he wants it if he will agree to confine his political activities to his county after we give it to him." To this Lasater retorted, "If you had named anything else as a condition I would have done it."<sup>38</sup> Parr, however, was unable to stop Lasater. After an amendment substituted the name of Brooks for Fal-

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<sup>37</sup>Texas, Legislature, House Journal, 32nd Leg., Reg. Sess., pp. 179, 327, 1251, 1583.

<sup>38</sup>Texas, Senate Journal Supplement, 1919, pp. 11-12.



furrias, the Brooks bill was adopted.<sup>39</sup> A few months later, Brooks County was organized.

At the same legislative session, a bill was introduced to establish Jim Wells County. Promoted by P. A. Presnall and W. R. Jones of Alice, who hoped to develop their town as a county seat, the new county was to be taken from the western portion of Nueces County. But many landowners, an estimated 60 percent or more including W. W. Jones of Corpus Christi, opposed the bill because of the additional taxes that would be required to support another county administration.<sup>40</sup> Representative Patt Dunn and Senator John Willacy of Portland, however, supported the bill, and it passed.<sup>41</sup> Since these legislators usually consulted with Wells on controversial matters, the absentee landlords of the new county assumed that the Jefe was behind the drive for Jim Wells County, and, led by Attorney Roy Miller of Corpus Christi, subsequently worked in opposition to Wells.

The creation of Brooks and Jim Wells counties led to the creation of even more counties. Oscar Thompson and other citizens of Hebbronville in the western portion of Brooks County demanded a new county because Lasater "had gotten their poll taxes and put them in his safe and gotten Mexican

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<sup>39</sup>Texas, Legislature, House Journal, 32nd Leg., Reg. Sess., pp. 1134, 1222, 1251.

<sup>40</sup>Corpus Christi Caller, March 10, 1911.

<sup>41</sup>Texas, Legislature, House Journal, 32nd Leg., Reg. Sess, pp. 1140, 1344, 1370, 1584.



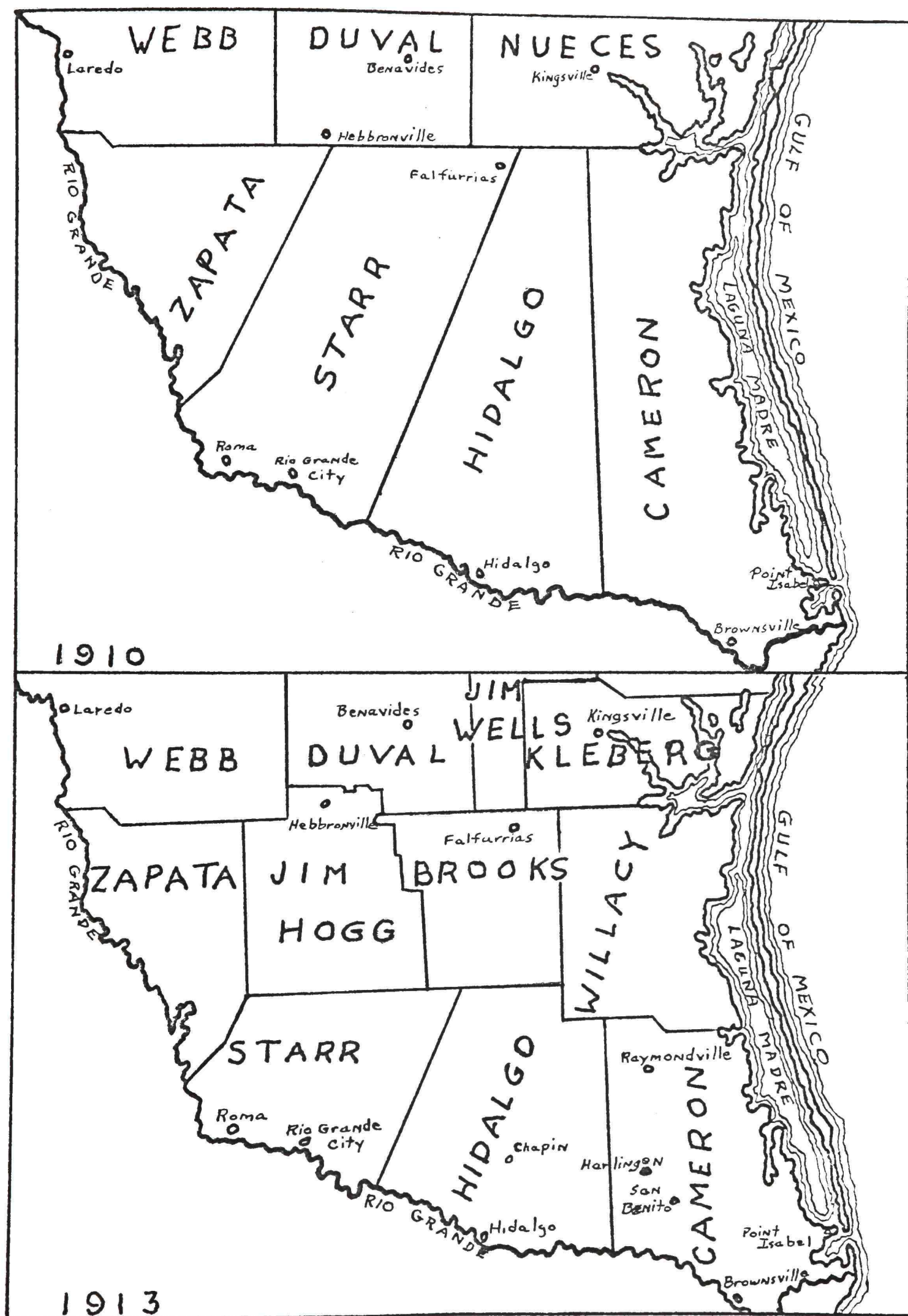


Fig. 20. South Texas Counties 1910, 1913.

officers and controlled everything."<sup>42</sup> And, fearful that he had lost much of his political support as a result of the creation of the new counties, Parr requested yet another county with Benavides as its county seat. Accordingly, Dunn in 1913 submitted a bill for the establishment of Lott County (An amendment changed the name to Patt Dunn County.), encompassing a safe majority of Parr voters and including a portion of Brooks County. When Lasater protested, Dunn introduced another bill creating Jim Hogg County out of the western portion of Brooks County. Both bills passed.<sup>43</sup> But Lasater secured a temporary injunction to prevent the organization of Patt Dunn County until its legality could be determined. When the case came to trial, the injunction was made permanent because, contrary to law, the county line was nearer than twelve miles to the Duval County seat.<sup>44</sup>

Although he did not oppose the new counties, Wells warned that further efforts would antagonize absentee landlords and lead eventually to political warfare.<sup>45</sup> Nevertheless, Parr decided to continue his efforts to get his new

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<sup>42</sup>Texas, Senate Journal Supplement, 1919, pp. 11-12.

<sup>43</sup>Texas, Legislature, House Journal, 33rd Leg., 1st Called Sess., pp. 85, 154, 520, 708, 729.

<sup>44</sup>J. B. Wells to Parr, November 24 and December 8, 1913; Parr to J. B. Wells, December 6, 11, and 14, 1913, Wells Papers; J. E. Conner, "A History of the Parr-Glasscock Election Contest, 1918-1919," J. E. Conner Papers, Archives, Library, University of Texas.

<sup>45</sup>Edward R. Kleberg to J. B. Wells, June 28, 1913, Wells Papers.



county. And, just as Wells feared, Roy Miller, Walter Timon, Caesar Kleberg, Charles H. Flato, Jr., Russell Savage, and other Nueces County interests organized to fight Parr.<sup>46</sup>

When John Willacy, on whom he could rely, retired from the Senate in late 1913, Parr had to change his strategy. Fully aware that someone in the Senate had to carry the ball, he decided, if he could get the proper endorsements, to make the race. He informed Wells, whose endorsement he sought, that contrary to his wishes, he was forced to run because, he believed, "R. J. [Kleberg] was in it [the contest] to kill you off and Edward [Kleberg] to take your place in this country."<sup>47</sup> When Wells, who apparently believed the charge, responded affirmatively, Parr announced his candidacy and resigned from the State Executive Committee.<sup>48</sup> State Chairman Walter Collins then appointed Wells' son, Joe K., as Parr's replacement.<sup>49</sup>

Meanwhile, as a prelude to the 1914 elections, political activity elsewhere along the border increased. Like his predecessor, Frank Rabb hired Red Club and Lasater lieutenants as Customs officials and made clumsy attempts to organ-

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<sup>46</sup>Parr to J. B. Wells, November 23, 1913, Wells Papers.

<sup>47</sup>Ibid., November 23, December 4, and 14, 1913, Wells Papers.

<sup>48</sup>Notation by Wells, "Told him several times that I had promised to support Parr." Walter R. Perkins (Corpus Christi) to J. B. Wells, April 2, 1914, Wells Papers.

<sup>49</sup>Walter Collins to J. K. Wells, January 1, 1914; J. K. Wells to Collins, January 13, 1914, Wells Papers.



ize Customs House machines in Zapata, Webb, Maverick, and Val Verde counties. And, with Mason Maney of Frio County, his choice to unseat Garner, he toured the Valley, ostensibly to promote better highways.<sup>50</sup> Because Rabb's political activities blatantly violated federal regulations, many of the old Wells faction temporarily coalesced into an opposition bloc.<sup>51</sup> Numerous complaints, even by some of Rabb's endorsers, finally led the Treasury Department to send a special investigator to look into the situation.<sup>52</sup> As a result, by the end of the year, only W. J. Bryan and T. W. Gregory in the Wilson Administration still supported Rabb.<sup>53</sup>

Wells opened the political campaign against Rabb and his supporters in the Brownsville city election. Reaching an agreement with the E. C. Forto and Browne factions, he contributed over \$300.00 to Albert A. Browne's campaign for mayor because "we, beyond question, must have a change in our city administration."<sup>54</sup> Informing Robert Kleberg of the

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<sup>50</sup>Valls to J. B. Wells, December 25, 1913; J. B. Wells to Garner, January 16 and 18, 1914; McLemore to J. B. Wells, n.d. [1914]; Garner to J. B. Wells, February 3, 1914; J. A. Herring (U. S. Marshal) to J. B. Wells, March 11, 1914, Wells Papers.

<sup>51</sup>A. P. Spohn (Zapata) to T. A. Coleman (Encinal), January 31, 1914; Ector Gammage (Rio Grande City) to J. B. Wells, June 19, 1914; Fred Tate (Zapata) to J. B. Wells, July 18, 1914; J. K. Wells to Garner, August 19, 1914, Wells Papers.

<sup>52</sup>Garner to J. B. Wells, June 10, 1914, Wells Papers.

<sup>53</sup>Culberson to J. B. Wells, December 24, 1914; Garner to J. B. Wells, December 25 and 26, 1914, Wells Papers.

<sup>54</sup>J. B. Wells to E. C. Forto, January 27 and 30, 1914, Wells Papers.

new coalition, he predicted that if Customs Collector Rabb and the Red Club continued to control the city "we will be ruined by excessive taxation."<sup>55</sup> The Wells-Forto-Browne combination proved unbeatable in the April election, but Rabb, in an attempt to confuse Democrats, loudly proclaimed that the result was a triumph for Browne and a crushing defeat for Wells.<sup>56</sup>

Wells then turned his attention to the regional primary campaigns. Possibly his major contribution was to bring about a measure of Democrat unity. He was instrumental in persuading Walter F. Timon of Corpus Christi to drop out of the senatorial contest, and he lined up R. J. Kleberg, Dave Odem, Marshall Hicks, and T. A. Coleman behind Parr.<sup>57</sup> In the solicitation of Odem's help, he explained that the fight against Parr was actually being waged "upon ME, and my friends, by Lasater, Frank Rabb, and their sort of Democracy. Do this for ME, Dave!"<sup>58</sup> As a result, apparently, of Wells' efforts, Parr easily defeated W. R. Perkins of Alice for the nomination.<sup>59</sup> In other regional races, Wells backed Lonnie

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<sup>55</sup>J. B. Wells to R. J. Kleberg, January 16, 1914, Wells Papers.

<sup>56</sup>Garner to J. B. Wells, April 16, 1914, Wells Papers.

<sup>57</sup>Parr to J. B. Wells, May 2 and 15, 1914; Willacy to Parr, May 18, 1914; Odem to Parr, May 18, 1914, Wells Papers.

<sup>58</sup>J. B. Wells to Odem, June 7, 1914, Wells Papers.

<sup>59</sup>Corpus Christi Caller, July 28, 1914.



Bates of Brownsville and L. P. Strayhorn of Falfurrias for the legislature and Jeff McLemore of Austin and E. R. Kone of San Marcos for congressmen-at-large. All but Kone were nominated.<sup>60</sup>

In the gubernatorial contest between James Ferguson and Thomas H. Ball, Wells was not successful. He had promised Ball, early in the campaign, at least two-thirds of the Valley vote.<sup>61</sup> With the aid of Marshall Hicks, he lined up most of the local jefes,<sup>62</sup> but just before the election, Ball and W. F. Ramsey, a campaign aide, publicly condemned Mexicans as a class.<sup>63</sup> "This has set the whole frontier against him," wrote Manuel Guerra, and "in this case I don't think I can do much for Ball."<sup>64</sup> He did not; and, thereafter, neither did Wells. Despite the fact that many Valley leaders believed Ferguson's land tenancy views were "socialistic," they did little to hinder his nomination.<sup>65</sup>

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<sup>60</sup>L. P. Strayhorn to J. B. Wells, May 10, 1914; J. B. Wells to Strayhorn, May 12, 1914; J. B. Wells to McLemore, July 24, 1914; J. B. Wells to J. G. Kenedy, July 24, 1914; J. B. Wells to E. R. Kone, July 24, 1914, Wells Papers.

<sup>61</sup>J. B. Wells to T. H. Ball, April 4, 1914, Wells Papers.

<sup>62</sup>Valls to J. B. Wells, July 14, 15, and 19, 1914; J. B. Wells to H. Ligarde (Laredo), July 15, 1914; J. B. Wells to Valls, July 21, 1914; J. B. Wells to M. Guerra, July 16, 1914; J. B. Wells to Odem, June 7, 1914, Wells Papers.

<sup>63</sup>M. Hicks to J. B. Wells, July 17, 1914, Wells Papers.

<sup>64</sup>Guerra to J. B. Wells, July 16, 1914, Wells Papers.

<sup>65</sup>Odem to J. B. Wells, May 18, 1914; J. B. Wells to



After dropping Ball, Wells did not participate further in the governor's race but gave unqualified support to W. P. Hobby for lieutenant governor.<sup>66</sup>

Power struggles in Starr and Hidalgo counties also occupied Wells. In the former, Manuel Guerra, with the help of Wells, finally gained complete control of party machinery by crushing the Monroe faction.<sup>67</sup> In Hidalgo County, trouble erupted when the Closner faction refused to endorse for re-election County Judge James H. Edwards. Enraged, Edwards organized the Anglo farmers into an opposition Good Government Party and asked Wells for help. Since Closner had been a friend and major supporter for years, the request placed Wells in a tough situation. He refused: "A local matter I will not interfere in to fight one old friend to help another." Edwards subsequently lost in the primary to Closner, but, shortly thereafter, asked District Judge Hopkins to order an audit of the county books.<sup>68</sup> The affair disrupted Hidalgo County politics for years and eventually led to

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Ligarde, July 15, 1914; J. B. Wells to M. Guerra, July 16, 1914, Wells Papers; Winkler, Platforms, p. 652.

<sup>66</sup>J. B. Wells to W. P. Hobby, July 24, 1914; Hobby to J. B. Wells, August 8, 1914, Wells Papers.

<sup>67</sup>M. Guerra to J. B. Wells, July 7, 1914; J. B. Wells to M. Guerra, July 22, 1914, Wells Papers.

<sup>68</sup>James H. Edwards to J. B. Wells, January 2, 19, 28, and 30, May 5, June 23 and 25, July 14, and October 13, 1914; J. B. Wells to Edwards, January 28, 29, and 30, and May 5, 1914, Wells Papers.

Closner's indictment and removal from office.

In his home county, Wells had to cope with a strong challenge. On the basis that his delegation to the 1912 State Convention had been unseated, Rabb contended that Wells was no longer legally county chairman, and, therefore, did not have authority to appoint election judges and otherwise conduct the county primary.<sup>69</sup> Nevertheless, the Jefe appointed election judges,<sup>70</sup> announced his choices for county offices, and brought in a professional speaker, Amado Gutiérrez, who appealed to the rancheros.<sup>71</sup> Furthermore, Garner came to Wells aid. He announced that army engineers would study the possibility of developing a deep-water port at Point Isabel. The prospect greatly excited the voters, and, because Garner was associated with Wells, helped the Blue Club sweep the primary. Informing Garner of the effect of his announcement, Wells commented: "John for MY sake, . . . do all you can to get us [a] deep water [port]. . . , as YOU, and YOU alone, old friend, we must depend on. . . . No need to have apprehension as to your being a Member of Congress next year."<sup>72</sup>

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<sup>69</sup>J. B. Wells to B. F. Looney (Attorney General), June 4, 1914; Looney to J. B. Wells, June 5, 1914, Wells Papers.

<sup>70</sup>J. B. Wells to Fernando Glaevecke (Brownsville), July 24, 1914, Wells Papers.

<sup>71</sup>M. Guerra to J. B. Wells, July 16, 1914; J. B. Wells to M. Guerra, July 16, 1914, Wells Papers.

<sup>72</sup>Garner to J. B. Wells, May 28 and June 12, 1914;



On August 11 and 12 in El Paso, Wells and his son, as Cameron County delegates, attended the Democratic State Convention. There, both took an active part in the preparation of the platform. Although neither served on the Platform Committee, they worked against the incorporation of planks on female suffrage and prohibition.<sup>73</sup> A majority of the Platform Committee did not agree, but the Wells' views reached the floor in the minority report. The Convention adopted the majority report. While in El Paso, Joe K. Wells was re-elected to the party's State Executive Committee.<sup>74</sup>

Meanwhile, the Parr-Lasater feud had moved into court. On June 30, Lasater, R. H. Corbit, and J. M. Dubose, Duval County taxpayers, employed an accountant to audit the county books. When the Commissioner's Court, under County Judge Parr's direction, refused access to the records, Lasater obtained an injunction prohibiting interference with the audit.<sup>75</sup> Before an examination could be completed, however, the Court House and all the county records burned.<sup>76</sup> Sty-

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Garner to A. A. Browne, May 29, 1914; J. B. Wells to Garner, June 8, 1914, Wells Papers.

<sup>73</sup>J. B. Wells to John D. Finnegan (Kingsville), July 22, 1914; J. B. Wells to Henry Edds (Hebbronville), July 22, 1914; J. B. Wells to M. Guerra, July 22, 1914, Wells Papers.

<sup>74</sup>J. B. Wells to Jonathan Lane (Houston), October 16, 1914, Wells Papers; Winkler, Platforms, p. 585.

<sup>75</sup>Corpus Christi Caller, July 8, 1914.

<sup>76</sup>San Antonio Express, August 12, 1914.



mied for the moment, Lasater then persuaded District Judge Hopkins to call a grand jury to investigate Parr's management of county affairs. Although the evidence was inconclusive, Parr was indicted for extortion and alteration of election returns.<sup>77</sup>

Interestingly enough, while being investigated, Parr was elected to the state Senate. In fact, all Valley Democrats won handily in the general election. Parr won by a good majority over W. R. Perkins of Alice; Bates and Strayhorn were unopposed for the state House; and Garner was returned to Congress with only two dissenting votes. Although Fred Starck, Rabb's brother-in-law, made a vigorous Independent race for Cameron County sheriff, Wells' candidate, W. T. Vann, won easily. Other Blue Club nominees, H. L. Yates, Pepe Webb, and Edgar Hicks, also won easy victories for county judge, county clerk, and county treasurer, respectively.<sup>78</sup> Although Rabb's challenge was a fiasco, Wells had been worried enough to spend over \$4,000.00 of his own money on the county race alone.<sup>79</sup>

After the November election, Wells became involved in another hot patronage fight. When the postmaster at San

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<sup>77</sup>Texas, Senate Journal Supplement, 1919, p. 754.

<sup>78</sup>F. C. Weinert, Biennial Report of the Texas Secretary of State, 1914 (Austin: Von Boeckmann-Jones Co., 1914), pp. 209, 215.

<sup>79</sup>J. B. Wells to S. L. Gill (Raymondville), December 11, 1914, Wells Papers.

Benito resigned, he asked Garner to secure the appointment for J. L. Crawford. Rabb, however, on the basis that Crawford had once called Woodrow Wilson a "pin headed school teacher," recommended Robert Batts of Austin for the position. Although the job itself was of little importance, the contest for it quickly developed into a test of political strength. Wells exhorted Garner to "leave no stone unturned for Crawford . . . all your friends in Cameron will be disappointed if you fail." Upon learning that Postmaster General Burleson favored Batts, Wells persuaded Judge J. A. Graham of Brownsville, Burleson's cousin, to endorse Crawford and then discussed the situation with Senator Morris Sheppard, who at the time was in the Valley to investigate border disturbances. Apparently Sheppard agreed with Wells for he subsequently joined Garner and Graham in support of Crawford. In January, 1915, Crawford reported to Wells, "Have message from Garner as follows: 'The act is did. You are it.'"<sup>80</sup>

Garner and Wells, meanwhile, continued their efforts to oust Rabb from the Customs House. Garner convinced Assistant Treasury Secretary A. J. Peters, a close personal friend, that Rabb had used Customs House funds to fight Demo-

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<sup>80</sup>J. B. Wells to Garner, October 22, November 11, December 9, 11, and 13, 1914, and January 13, 1915; E. R. Garner to J. B. Wells, October 23, 1915; Garner to J. B. Wells, December 4, 13, and 15, 1914, and January 14, 1915; J. B. Wells to Morris Sheppard, December 9, 1914; J. B. Wells to J. L. Crawford, December 11, 1914; Crawford to J. B. Wells, January 8, 1915, Wells Papers.



crats. Moreover, on the basis of an article in the New York World, he charged that Rabb had spent several months in Mexico City promoting General Lucio Blanco for president and seeking economic concessions. Rabb denied both charges, but admitted traveling to the Mexican capital twice.<sup>81</sup> Peters, thereupon, began pressuring Rabb to resign, but Wells cautioned that, unless he could be replaced by a suitable South Texas Democrat, Rabb should be retained because he was inept and "cannot hurt us."<sup>82</sup> Rabb was left alone--momentarily.

Due to his political successes in 1914 and to the growing influence of Garner, his ally, Wells was once again sought out by anxious Democrats who wanted his advice and support.<sup>83</sup> To be more effective, he again became a lobbyist in Austin during the 1915 session of the legislature. His most important efforts in this capacity were in behalf of the so-called Gibson Bill, a proposal to amend the Robertson In-

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<sup>81</sup>Garner to J. B. Wells, January 17, 1915, Wells Papers; Anders, "James B. Wells and the Brownsville Patronage Fight, 1912-1917," pp. 23-25; San Antonio Express, December 24, 1914.

<sup>82</sup>J. B. Wells to Garner, December 27, 1914; Garner to J. B. Wells, December 29, 1914 and May 26, 1915; Roger Byrne (San Antonio) to Garner, May 25, 1915; W. S. Gard (Houston) to Garner, May 25, 1915; A. J. Peters to Garner, May 25, 1915, Wells Papers.

<sup>83</sup>Closner to J. B. Wells, January 13, 1915; J. B. Wells to Closner, January 14 and 18, 1915; J. B. Wells to M. Guerra, January 18, 1915; J. W. Terry (Galveston) to J. B. Wells, January 15, 1915; E. B. Gore (Corpus Christi) to J. B. Wells, February 6, 1915; Frank Andrews to J. B. Wells, February 23, 1915; R. G. Flato (Yorktown) to J. B. Wells, October 22, 1915, Wells Papers.



insurance Law. Sponsored by Governor Ferguson, the bill gave special tax advantages to out-of-state insurance companies that resumed business in Texas. Opposed by bankers, in-state insurance companies, and progressives, its prospects of passage appeared slight at the time Wells was solicited by the Farmers and Businessmens Association to help.<sup>84</sup> Reasoning that the inflow of outside capital would provide additional money at lower interest rates for Texas farmers and, perhaps, stimulate the flagging Valley land boom, Wells marshalled the support of the entire South Texas delegation. The bill passed in the House but not in the Senate.<sup>85</sup>

During the same session, the legislature established the Ninety-second Judicial District, encompassing territory where Wells, Closner, Guerra, and Parr controlled Democratic Party politics. As might be expected, a fight quickly developed over the appointment of a judge and an attorney for the new district. Closner backed W. R. Jones, a Brownsville lawyer; Wells suggested his brother-in-law, John Kleiber of Brownsville; and Guerra supported Robert Kleberg's nephew, Edward Kleberg of Corpus Christi.<sup>86</sup> The dispute seemed

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<sup>84</sup>J. F. Bowman (Farmers and Businessmens Association) to J. B. Wells, March 25, 1915, Wells Papers.

<sup>85</sup>Houston Chronicle, March 26, 1915; J. B. Wells to Strayhorn, May 10 and 12, 1915; Strayhorn to J. B. Wells, May 10, 1915, Wells Papers; Texas, Legislature, House Journal, 34th Leg., Spec. Sess., pp. 125, 150, 334.

<sup>86</sup>Oscar C. Dancy (Brownsville) to J. B. Wells, February 1, 1915; Closner to A. Y. Baker and J. R. Alamia (Edinburg), February 13, 1915; Manuel Guerra to J. B. Wells,

likely to become another test of political strength until Wells informed his associates that Edward Kleberg was uninterested and that E. C. Lasater was behind Jones' candidacy. The Valley leaders then settled on Volney M. Taylor, an attorney at Alice, and Wells, speaking for the group, relayed the choice to Governor Ferguson.<sup>87</sup> Taylor was appointed, and J. E. Leslie, also of Alice, contrary to Parr's wishes, was named district attorney.<sup>88</sup> Although neither Taylor nor Leslie was a bona fide member of the Wells faction, both were acceptable to the Jefe Primo.

During the remainder of the year, Wells was busy as counsel for the defendants in two widely publicized trials. He got the indictments against Parr quashed by demonstrating conclusively that the charges were the result of Lasater's enmity and not of fact.<sup>89</sup> Simultaneously, he defended in court District Judge W. B. Hopkins, Nueces County Judge Walter Timon, and sixty other Nueces County election officials against charges, brought by the United States attorney for the Southern District of Texas, that unqualified voters had been

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February 3, 1915, Wells Papers.

<sup>87</sup>J. B. Wells to L. H. Bates, March 12, 1915, Wells Papers.

<sup>88</sup>Parr to J. B. Wells, June 17, 1915; J. B. Wells to Parr, June 19, 1915, Wells Papers.

<sup>89</sup>Texas, Senate Journal Supplement, 1919, pp. 162, 755, 757, 759; The State of Texas Ex. Rel., Charles Hoffman, et. al. vs. G. A. Parr, et. al., 92nd District Court, San Diego, November, 1915.



permitted to participate in the 1914 election of congressmen. Charges were dismissed against thirty-nine defendants; sixteen were acquitted; five were convicted; and the trials of both Hopkins and Timon ended in hung juries. Procedural errors brought on appeal a reversal of the guilty verdicts, and eventually, due to dilatory tactics for which Wells had become well-known, the Department of Justice abandoned prosecution of the defendants.<sup>90</sup>

Wells regarded the election fraud trials as another case of unjustified federal intervention. For more than three decades, he had viewed with increasing dismay the use of customs personnel in local elections, and, now, it seemed, the courts were to be used in the assault on local rights. He became convinced that the Republican Party and the Wilson Democrats would be satisfied with nothing less than bouleversement of the political system as he understood it. By now, he was, he felt, in a losing struggle for the preservation of States' rights among an increasingly unappreciative people. But he was not yet ready to surrender.

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<sup>90</sup>The United States v. Walter Timon, et. al., indictment; J. B. Wells to Volney Taylor, September 9, 1915, Wells Papers; Dallas Morning News, September 18, 1915.



## CHAPTER XI

### "THE SHADOW OF JIM WELLS"

During October, 1910, reports of an uprising in Mexico reached the Valley. After more than thirty years of repressed aspirations, the Mexican masses, galvanized into consciousness by Francisco I. Madero's Plan de San Luis Potosí, had launched a rebellion against the decaying regime of Porfirio Díaz. Following six months of desultory fighting, the aged dictator, when his army failed posthaste to crush the insurrection, resigned the presidency, turned the government over to a caretaker, and left Mexico. In a subsequent national election, Madero, the embodiment of popular hopes for economic, political, and social betterment, was chosen president. He proved, however, to be a faltering instrument of change, utterly unable to control the swirling forces unleashed by the collapse of "Díazpotism." After a year and a half, he was overthrown in a counter-revolution, and Mexico entered a new and more violent phase of revolutionary civil war.<sup>1</sup>

In its initial phases, the Mexican revolution had

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<sup>1</sup>Hubert Herring, A History of Latin America from the Beginnings to the Present (New York: Alfred A. Knopf, 1955), pp. 354-359.

little effect on the Lower Rio Grande Valley. Despite their proximity, most South Texas Mexican-Texans remained impassive while kinsmen struggled, like Mariano Azuela's los de abajo (the underdogs), against ills they could not describe and for causes they never understood.<sup>2</sup> Not until the war erupted in 1913 along the Lower Rio Grande did the Valley people become aroused. And then, seemingly unaware that a revolution was in progress, they characterized simply as bandits the straggling and defeated insurrectos who dodged back and forth across the border.<sup>3</sup>

Although before 1915 there were several border incidents, Wells evinced, publicly, little concern with the revolution. Busy with his practice and politics, he had little time to consider matters beyond his immediate control. He did, however, benefit professionally from two border episodes. In 1911, when the San Antonio Express reported that J. P. McDonald of Brownsville and two companions had been arrested in Matamoros for shouting "Viva Madero," McDonald brought suit for libel against the journal. Representing the newspaper, Wells reminded the attorney for the plaintiff that the Express had often refused, as a favor, to carry accounts of his escapades and persuaded him to get his client to drop

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<sup>2</sup>Mariano Azuela, The Underdogs, trans. by Frances K. Hendricks and Beatrice Berler (San Antonio: Trinity University Press, 1963), p. 253.

<sup>3</sup>John R. Peavey, Echoes from the Rio Grande (Brownsville, Texas: Springman-King Company, 1963), pp. 70-92.

charges.<sup>4</sup> The second incident occurred in 1913 after Lucio Blanco, one of Venustiano Carranza's generals, captured Matamoros. When he discovered that the United States government would do nothing but protest his crude attempts to extort money and property, Blanco tried to force Mexican cattlemen to sell their cattle in Texas so that he could collect export taxes. General Romulo Cuellar, a Felix Díaz adherent and Matamoros cattleman who did not wish to appear as paying tribute to the Carrancistas, retained Wells to get his cattle out of Mexico without paying the \$8.00 per head tax.<sup>5</sup> During his efforts in behalf of his client, Wells developed a strong antipathy for Carranza who, he was convinced, would go to war against the United States just as soon as it would "subserve his own political fortunes."<sup>6</sup> Blanco, who had become a close friend of Frank Rabb, probably refused to negotiate with Wells.

In 1914, while President Wilson was preparing to abandon his policy of "Watchful Waiting," several Americans with Valley connections were seized in Mexico. Although the government had recommended since 1911 that all its citizens leave Mexico, many had ignored the admonition and continued

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<sup>4</sup>S. A. Pipes (Galveston) to John R. Lunsford (San Antonio Express), March 4, 1911; Reagan Houston (San Antonio) to J. B. Wells, November 1911, Wells Papers.

<sup>5</sup>Contract, General Romulo Cuellar and J. B. Wells, November 7, 1914, Wells Papers.

<sup>6</sup>J. B. Wells to McLemore, June 19, 1915, Wells Papers.



as though nothing was amiss. In February, however, two Hebbronville men, John Hinnart and Ynocencio Benavides, were arrested in Saltillo, and Henry Edds of Hebbronville, a political ally, appealed to Wells for help. Wells sent a telegram, signed by every major political figure in the Valley, to Garner to urge Secretary of State Bryan to make immediate and vigorous efforts to free the men.<sup>7</sup> There is no evidence that Garner or Bryan did anything, but shortly thereafter Hinnart and Benavides were released. Then, in late December, C. E. Davis of Washington wired Wells that George Davis, his brother, R. B. Holland, and M. H. Burnham had been arrested in Matamoros, and asked for help. After speaking with United States Consul J. H. Johnson at Matamoros, Wells replied that "everything will be alright." In a short time, the three were released.<sup>8</sup>

Later that year, a dispute among the revolutionary leaders foreboded trouble for the Valley. Francisco Villa (Doroteo Arango), an erstwhile Constitutionalist (Carrancista), proclaimed, in October, his own chieftanship and, thus, opened a new phase of the revolution.<sup>9</sup> With the help of

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<sup>7</sup>J. B. Wells to Henry Edds, February 20, 1914; J. B. Wells, et. al., to Garner, February 29, 1914, Wells Papers.

<sup>8</sup>C. E. Davis and McLemore to J. B. Wells, December 23, 1914; Davis to J. B. Wells, December 24, 1914; J. B. Wells to Davis, December 24, 1914, Wells Papers.

<sup>9</sup>U. S., Department of State, Foreign Relations of the United States, 1914 (Washington, D. C.: Government Printing Office, 1928), p. 605.

Emiliano Zapata, Villa soon controlled a solid block of territory down the center of the Republic. The peripheries, however, including Matamoros, remained in the hands of the Carrancistas. After a few months fighting elsewhere, the Villistas, led by General José Rodríguez, began an attack in March, 1915, upon Matamoros. Under the command of Emiliano P. Nafarrate and Procopio Elizondo, the Constitutionalists, supposedly with the help of a machine-gun unit from Fort Brown,<sup>10</sup> routed the Villistas, killing at least 250 men. Another 232 wounded men fled across the Rio Grande at Las Rucias ranch, five miles west, and made their way to Brownsville where they found care and sustenance.

The so-called San Diego plot compounded the seriousness of the border situation. In January, 1915, Texas Ranger Tom Mayfield seized a document, entitled the Plan de San Diego, outlining a grandiose scheme for the conquest of the southwestern border states. The plan called for all Mexicans and Mexican-Americans living in Texas, New Mexico, Colorado, Arizona, and California to strike at 2:00 a. m. on February 20. The revolutionaries, to be known as the "Liberating Army for Races and People," were to put to death every armed stranger, regardless of race or nationality, and, after extorting from them loans and money, every Anglo male over the age of sixteen. The venture was to be financed, otherwise, by levies on captured towns and state governments. No fe-

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<sup>10</sup>Peavey, Echoes from the Rio Grande, p. 99.



male or child was to be harmed. Lands once held by Indians were to be returned, and assistance from sympathetic Negroes and Japanese would be welcomed. At "an appropriate time" after the conquest, the region was to be annexed to Mexico. Finally, the six plains states bordering the conquered area were to be captured and organized as a buffer nation for Black people between Mexicans and what one signer described as "those damned big footed creatures to the north." The document was signed by several Texas Carrancista sympathizers, including two Cameron County residents, Luis de la Rosa and Aniceto Pizaña.<sup>11</sup>

When the conspiracy was first uncovered, South Texans were prone to scoff. But as raids into Texas increased, many concluded that the incursions were instigated by the plotters.<sup>12</sup> And, several key figures in the Wilson Administration were similarly convinced. Wells, on the other hand, never gave credence to the San Diego plot; he believed the violence was perpetrated by Mexican Carrancistas.

During the first week of May, following the defeat of Rodríguez, Venustiano Carranza made a significant visit to Matamoros. While there, he crossed to Brownsville and conferred with General James Parker of Fort Sam Houston and

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<sup>11</sup>U. S., Department of State, Foreign Relations, 1916, pp. 568-573.

<sup>12</sup>William M. Hager, "The Plan of San Diego: Unrest on the Texas Border in 1915," Arizona and the West, V (1963), 227-236; Sterling, Trails and Trials of a Texas Ranger, pp. 25-28.



Colonel A. P. Blocksom, commander of the Fort Brown district. Carranza demanded, Wells believed, that the wounded Villistas be turned over to him, but, if so, the Americans refused. Shortly afterward, when the wounded men were taken to Laredo and reunited with elements of Villa's División del Norte, the "Bandit War" of 1915 began. Wells concluded that the Carrancistas instigated bandit forays into Texas in retaliation.<sup>13</sup>

The first occurred in May near Sebastian. It and the next several raids resulted only in lost cattle, saddles, and other equipment. On July 17, however, Bernard Boley, a young American, was killed in north Cameron County. Six days later, two brothers were slain near Mercedes, and in the next five weeks, although raiders were not culpable in each instance, seventeen incidents resulted in sixteen more deaths. Rangers and deputy sheriffs killed five Mexican-Texans alleged to be bandits, and San Benito vigilantes lynched Adolfo Muñiz, who had been accused of rape.<sup>14</sup>

During the first weeks of the disturbance, Wells remained silent about the border situation. He was extremely busy practicing law and lobbying with the Thirty-fourth

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<sup>13</sup>J. B. Wells to McLemore, June 19, 1915; Henry Hutchings (Adjutant General) to J. B. Wells, August 4, 1915; J. B. Wells and Caesar Kleberg to Hutchings, August 4, 1915, Wells Papers.

<sup>14</sup>Pierce, A Brief History of the Lower Rio Grande Valley of Texas, pp. 89-91.

Legislature. Nevertheless, he apparently worked through Governor Ferguson to obtain increased military protection of the Brownsville region. Representative Lonnie Bates, Wells' long-time confidant and agent, joined the Governor's staff, and, shortly thereafter, Ferguson began to demand the placement of more troops in the Lower Rio Grande Valley.<sup>15</sup>

General Frederick Funston, who commanded the Department of Texas, after some hesitation, assigned three battalions of infantry to Brownsville. The army, however, was unable to stop the raiding. In September and October, fifteen incidents resulted in fifty-eight dead and sixty-seven wounded.<sup>16</sup> When the troops failed to pursue raiding parties into Mexico, Wells became disgusted with Funston and the local commander, Colonel A. P. Blocksom, and began a campaign, through Garner, McLemore, Culberson, and Sheppard, to have his old friend, General James Parker, placed in command of border defenses.<sup>17</sup> After ten months of pressure from

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<sup>15</sup>Charles C. Cumberland, "Border Raids in the Lower Rio Grande Valley, 1915," Southwestern Historical Quarterly, LVII (January, 1954), 289.

<sup>16</sup>U. S., Congress, Senate, Committee on Foreign Relations, Hearings, Investigation of Mexican Affairs, 66th Cong., 2d Sess., 1920, I, 1302-1309; U. S., Department of State, Foreign Relations, 1915, p. 771; Cumberland, "Border Raids in the Lower Rio Grande Valley, 1915," pp. 285-311; Eric Carroll Tanner, "The Texas Border and the Mexican Revolution" (unpublished Master's thesis, Texas Tech University, 1970), p. 46.

<sup>17</sup>J. B. Wells to Culberson, July 12, 1915; J. B. Wells to Garner, July 12, 1915; J. B. Wells to Sheppard, July 12, 1915; Culberson to J. B. Wells, July 13, 1915; E. R. Garner to J. B. Wells, July 13, 1915; Sheppard to J. B. Wells, July 12 and 13, 1915, Wells Papers.



Garner and Culberson, the Secretary of War in 1916 appointed Parker as commander of the Brownsville sector.<sup>18</sup>

Meanwhile, because official diplomatic relations had been established with Carranza, border violence had decreased. As a prerequisite for recognition, Secretary of State Robert Lansing had demanded that the Mexican government take steps to break up bandit aggregations on Mexican soil.<sup>19</sup> Accordingly, General Alfredo Ricaut, who had replaced Nafarrate at Matamoros, pledged to stop the raiding from Tamaulipas. To many Valley leaders, this was proof positive that the Carrancistas had been behind the trouble,<sup>20</sup> but, doubtful of Ricaut's ability to prevent further incursions, they petitioned both the state and national governments for continued military protection. For this purpose, a committee of seventeen, among whom were Wells, Creager, Lasater, Caesar Kleberg, a King Ranch executive and nephew of R. J. Kleberg, and Brownsville Mayor A. A. Browne, was organized.<sup>21</sup>

Unexpected opposition came from the Attorney General.

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<sup>18</sup>Pierce, A Brief History of the Lower Rio Grande Valley of Texas, p. 102.

<sup>19</sup>Robert Lansing to Garner, October 25, 1915, Wells Papers; U. S., Department of State, Foreign Relations, 1915, pp. 812-817.

<sup>20</sup>Randolph Robertson to J. B. Wells, October 19, 1915, Wells Papers; General F. Funston to Lindley M. Garrison, September 17, 1915, Foreign Relations, 1915, p. 812.

<sup>21</sup>D. W. Glasscock (McAllen) to J. B. Wells, October 25, 1915, Wells Papers; J. L. Allhands, Gringo Builders (Dallas: n.p., 1931), pp. 263-269.



Decrying the need for more troops, Thomas W. Gregory maintained that the violence in the Valley had been committed by Texans involved in the San Diego plot.<sup>22</sup> Garner, unable to persuade him otherwise, offered to bring to Washington Randolph Robertson, a reliable witness and friend of Wells, but Lansing replied that the State Department preferred to work through its consular agents.<sup>23</sup>

Because of subsequent developments in Mexico, Wells predicted a renewal of border violence. In January, 1916, Conventionalist forces under Benjamin Argumedo, Calixto Contreras, and Canuto Reyes initiated a desperate offensive against the Constitutionalists, but, owing to lack of artillery support and a plaguing shortage of ammunition, they stalled near Torreón. Realizing that further resistance would be futile, Francisco Lagos Cházaro, President of the Convention, fled into exile, leaving the field to Carranza. Consequently, Wells concluded, according to Caesar Kleberg, that because they no longer needed the good will of the United States the Carrancistas would relax their efforts to control the bandits. Adjutant General Henry Hutchings agreed.<sup>24</sup> To minimize the raids, Wells advocated retaliatory

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<sup>22</sup>T. W. Gregory to Garner, October 26, 1915; Garner to J. B. Wells, October 27, 1915; Garner to A. A. Browne, October 27, 1915, Wells Papers.

<sup>23</sup>Garner to J. B. Wells, May 26, 1916, Wells Papers.

<sup>24</sup>C. Kleberg to Hutchings, January 12, 1916; Hutchings to Kleberg, January 13, 1916, Adjutant General's Correspondence (Texas), 1915-1917.

pursuit of raiders across the Rio Grande. He remembered the salutary effect of reprisal raiding between 1873 and 1879 by Colonel Ranald Mackenzie, Leander McNelly, and Colonel W. R. Shafter, and he had always been quick to defend an officer who crossed the boundary on such a mission.<sup>25</sup> The Wilson Administration did not share his views.

Villa's attack on Columbus, New Mexico, on March 9, 1916, however, brought about a change in border policy. Within three months, almost 111,000 soldiers were moved to the Mexican frontier. On May 18, General James Parker arrived in Brownsville to command the Lower Valley sector. But, Parker, a firm advocate of retaliatory raiding, was handicapped because his infantry could not cope with the mounted raiders.<sup>26</sup> Wells helped him solve this problem by organizing citizens to transport soldiers by automobile. After a few trials, Parker commented, "If a raid is made, I hope to make a killing. Your citizen's automobiles have made our infantry as effective as cavalry."<sup>27</sup>

On June 14, a band of about twenty-four Mexicans was discovered raiding near San Benito. Parker immediately ordered out troops who followed the Mexicans to the Rio Grande

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<sup>25</sup>J. B. Wells to Garner, March 17, 1916; Garner to J. B. Wells, March 18, 1916, Wells Papers.

<sup>26</sup>Pierce, A Brief History of the Lower Rio Grande Valley of Texas, p. 100.

<sup>27</sup>James Parker to J. B. Wells, June 24, 1916, Wells Papers.

and then, on the seventeenth, crossed into Mexico. Although orders from Washington on the next day recalled the troops, the invasion of Mexican territory had the desired effect. A worried Ricaut's announcement that he would execute anyone "caught in the acts of banditti" put an end to the raiding.<sup>28</sup>

With the cessation of the bandit war, Wells' interest in the army centered on the economic benefit the Valley derived from its presence. Due to the border troubles, the Valley boom had come to a virtual standstill. The various communities, anticipating that spending by the soldiers would stimulate local economies, then began maneuvering to get garrisons stationed nearby.<sup>29</sup> When only a few troops were sent to Fort Brown, Wells and banker John G. Fernández of Brownsville complained to Garner that over 12,000 soldiers had been placed in Mercedes, McAllen, Mission, and "other unimportant sites," and urged him to take the matter up with Culberson.<sup>30</sup> While not as strategically located as some other points, Fort Brown was, within a short time, headquarters for several regiments.<sup>31</sup>

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<sup>28</sup>Pierce, A Brief History of the Lower Rio Grande Valley of Texas, pp. 101-105.

<sup>29</sup>S. L. Gill and M. H. Dyer (Raymondville) to J. B. Wells, July 9, 1916, Wells Papers.

<sup>30</sup>John G. Fernández and J. B. Wells to Garner, July 7 and 8, 1916, Wells Papers.

<sup>31</sup>Culberson to J. B. Wells, July 9 and 12, 1916, Wells Papers.



Although his influence through Culberson and Garner in 1916 was still powerful, Wells must have realized that his domination of regional politics was ending. The new Valley farming population had generally refused his guidance, and, in areas where Mexican-Texans were still the majority, newly emerging jefes, including Parr, Caesar Kleberg of the King Ranch, and Sheriff A. Y. Baker of Hidalgo County, brooked no interference in local matters. Moreover, a mounting quarrel between Parr and Caesar Kleberg over the appointment of Special Rangers threatened to fragment the fragile coalition Wells had directed throughout the decade.<sup>32</sup> Of the old time political leaders, Wash Shely and Manuel Guerra were dead, and John Closner was now concentrating on business affairs.

In state politics, Wells had opposed the administration. But, in 1916, he joined Garner in making peace with Governor Ferguson, and, later, became the Governor's liason in the Valley with out-of-state militia.<sup>33</sup> At the State Democratic Convention, held on May 23 and 24 in San Antonio, he exercised a leading role in turning the meeting into a "Joe Bailey Convention." As chairman of the Platform and Resolu-

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<sup>32</sup>Parr to Hutchings, January 12, 1916; Hutchings to James E. Ferguson (Governor), January 14, 1916, Adjutant General's Correspondence, 1915-1917.

<sup>33</sup>Garner to Ferguson, January 18, 1916; Ferguson to Garner, January 22, 1916, Dienst Collection; Ferguson to J. B. Wells, August 17, 1916; J. B. Wells to Ferguson, August 17, 1916, Wells Papers.

tions Committee, he led in the adoption of planks condemning female suffrage and national prohibition. Although he did not like or support the President, he did not oppose a resolution endorsing the Wilson Administration.<sup>34</sup>

Meanwhile, in local politics, the Jefe faced a new challenger. Lonnie Bates, without consulting Wells, entered the primary against W. T. Vann, the Blue Club nominee for sheriff.<sup>35</sup> Bates' announcement came after he had joined Governor Ferguson's staff and after Wells, assuming that he would not be a candidate for reelection to the House, had endorsed J. T. Canales for the legislature.<sup>36</sup> Upset by Bates' disloyalty but willing to make amends for the misunderstanding, Wells offered to name him as a delegate to the national convention if he would withdraw from the sheriff's race. Bates agreed, acquired his delegate credentials, and then resumed his campaign for sheriff. Before leaving for the national convention, he also made known his intention of securing, with the Governor's help, the Brownsville-Laredo collectorship. Wells angrily importuned Garner to defeat

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<sup>34</sup>J. B. Wells to Robert C. Wells (Newman School, Hackensack, New Jersey), May 27, 1916; McLemore to J. B. Wells, June 28, 1916, Wells Papers; San Antonio Express, May 24 and 25, 1916; Winkler, Platforms, pp. 618-623.

<sup>35</sup>J. B. Wells to Jake Wolters, May 11, 1916, Wells Papers.

<sup>36</sup>J. B. Wells to Q. U. Watson (Houston), June 14, 1916, Wells Papers.



Bates' appointment. "Rabb is nothing but a half-witted Pelado [nobody]," he explained, "but if an enemy must hold the post, he is the best."<sup>37</sup>

At the Democratic National Convention held in early June in St. Louis, Garner tried to resolve the dispute. He suggested that Bates should campaign again for the legislature,<sup>38</sup> but Wells would not withdraw Canales. After the Convention, Bates, as an independent candidate with Rabb's support, intensified his campaign for sheriff, particularly among the Mexican-Texans. He soon proved to be an inept politico, however, and Wells ceased to take him seriously.<sup>39</sup>

During the campaigning, Wells was unable to make an extensive canvass in behalf of his candidates. His law practice and his efforts to help General Parker by organizing the automobile brigade occupied him fully. Moreover, he now realized that the region had become too complex, that the population had grown too large, to be controlled by one man. He thereupon decided to limit his personal efforts to Cameron County races and to write and inform his friends of his choices for regional and state office. He endorsed Congress-

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<sup>37</sup>J. B. Wells to E. R. (Mrs. John) Garner, June 7, 1916, Wells Papers.

<sup>38</sup>Garner to J. B. Wells, June 19, 1916, Wells Papers.

<sup>39</sup>J. B. Wells to Clement R. Kirby (San Benito), June 9, 1916; J. B. Wells to Garner, June 23, 1916; Garner to J. B. Wells, June 27, 1916; S. A. Robertson (San Benito) to J. B. Wells, July 19, 1916, Wells Papers.



men Garner of Uvalde and McLemore of Austin for re-election, the latter for an at-large-post, and Roger Byrne of Smithville for the other at-large-seat in Congress.<sup>40</sup> He especially urged his friends to work for the reelection of Senator Culberson, and, infrequently, sent the Senator advice for managing his state-wide campaign.<sup>41</sup> In late June, Wells was injured in an automobile accident and confined to his bed for several weeks. Despite his absence thereafter from the primary campaign, none of his candidates, other than Culberson, experienced any difficulty winning nomination.<sup>42</sup>

After the primary, two matters concerned Wells. First, because he was still recuperating from the accident, he was unable to attend the Democratic State Convention in Houston in August to arrange for Joe K. Wells' reelection to the State Executive Committee. He handled the problem by obtaining written promises from Dave Odem, John Closner, Jacobo

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<sup>40</sup>J. B. Wells to George H. Byrnes (La Feria) June 13, 1916; J. B. Wells to J. C. Guerra, E. Salinas, and H. Garza, Jr. (Rio Grande City), July 21, August 3, and 17, 1916; J. B. Wells to Odem, August 3, 1916; J. B. Wells to Parr, August 3, 1916; J. B. Wells to George R. Page (Laredo), August 3, 1916; J. B. Wells to Closner, August 3, 1916, J. B. Wells to D. W. Glasscock (McAllen), August 3, 1916, Wells Papers.

<sup>41</sup>J. B. Wells to Culberson, June 7, 1916; Roger Byrne to J. B. Wells, March 11, 1916; J. B. Wells to Byrne, March 18, 1916; Notation by Wells: "have since seen writer and told him that I was supporting Culberson," O. B. Colquitt to J. B. Wells, April 10, 1916, Wells Papers.

<sup>42</sup>Joe K. Wells to Charles J. Kirk (Houston), August 5, 1916; J. B. Wells to McLemore, August 15, 1916; McLemore to J. B. Wells, August 22, 1916, Wells Papers.

Guerra, and other regional leaders to instruct their delegations for Joe. Joe K. Wells was renamed to the State Executive Committee.<sup>43</sup> The second cause for concern was Senator Culberson's renomination. Despite large majorities from the Valley, Culberson had run second in the primary to former Governor Oscar Branch Colquitt. He had polled enough votes, however, to force a runoff primary. Anxious for the Valley again to return a large majority for Culberson, Wells worried about the vote in Hidalgo County where his own differences with Sheriff A. Y. Baker threatened to reduce Culberson's edge. Arising from his sickbed just before the balloting, he made a personal canvass in behalf of his old friend, and Hidalgo County returned a seven hundred vote edge to complement a fourteen hundred vote majority garnered in Cameron and Starr counties. "Each of the boxes . . . were . . . under MY immediate control, and voting MY people"; Wells boasted, "they have not downed the 'OLD MAN' yet!"<sup>44</sup> Neither had Colquitt downed Culberson. With last minute help from members of the Wilson Administration, the aged and invalid Senator easily won renomination.<sup>45</sup>

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<sup>43</sup>Odem to J. B. Wells, August 3, 1916; Parr to J. B. Wells, August 3, 1916; Closner to J. B. Wells, August 17, 1916; George R. Page (Laredo) to J. B. Wells, August 3, 1916; J. C. Guerra to J. B. Wells, August 3, 1916, Wells Papers; Winkler, Platforms, p. 643.

<sup>44</sup>J. B. Wells to Culberson, August 29, 1916; J. A. Herring to J. B. Wells, August 30, 1916; J. B. Wells to Herring, September 2, 1916, Wells Papers.

<sup>45</sup>Galveston Daily News, August 27 and 28, 1916.



During the general election campaign, Wells refrained from active participation. In the only race that aroused any interest, Sam Robertson of San Benito directed W. T. Vann to an easy win over Lonnie Bates. No other Wells candidate was seriously challenged.<sup>46</sup>

Culberson's victory was for Wells a major triumph. It assured him a Senate ally in federal patronage matters. The ailing Senator had relied upon his friends to conduct his campaign and could not have gotten into the runoff without the large majorities he received in South Texas. He had trailed Baylor University President Samuel P. Brooks badly until the late returns from South Texas.<sup>47</sup> When Judge Thomas S. Maxey retired in December after twenty-six years on the West Texas federal district bench, Wells tested Culberson's gratitude by asking his help in securing the position for Duval West of San Antonio. West was appointed.<sup>48</sup>

Now confident that they could rely on Culberson's help,

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<sup>46</sup>Vann to J. B. Wells, November 8, 1916, Wells Papers; C. J. Bartlett, Supplemental Report of the Texas Secretary of State, 1916 (Austin: A. C. Baldwin and Sons, 1917), pp. 7, 9, 11-12, 48-55, 106, 143.

<sup>47</sup>McKay, Texas Politics, 1906-1944, pp. 66-67; Austin American, July 23, 1916; San Antonio Express, July 23, 24, and 26, 1916.

<sup>48</sup>Duval West to J. B. Wells, September 23, November 29, and December 4, 1916; W. S. West to J. B. Wells, October 17, 1916; J. B. Wells to Duval West, December 2 and 27, 1916; J. B. Wells to Garner, December 2, 1916; J. B. Wells to Burleson, December 2, 1916; J. B. Wells and R. J. Kleberg to Culberson, October 18, 1916, Wells Papers; U. S., Congressional Record, 64th Cong., 2d Sess., LIV, Part 1, 555, 647.



Garner, Wells, and Tom Coleman of Encinal made plans to get their nominee named as Rabb's successor. (Rabb's term as Customs Collector was due to expire on October 1, 1917.)

Anxious to nominate someone that Secretary McAdoo would consider "a high class, efficient businessman,"<sup>49</sup> they finally settled on Joe K. Wells. Wells then asked Garner to sound out his son's chances.<sup>50</sup> Garner immediately replied that Attorney General Gregory still exercised great influence in Texas patronage matters and would vigorously oppose anyone connected with Wells. "Mr. Gregory has been the active man," he reminded, "in the efforts to break up the so called machine and corrupt politics of southwestern Texas."<sup>51</sup> Wells then decided simply to seek to prevent Rabb's renomination.

A few months before Rabb's term expired, Gregory's opposition suddenly ended. When Joe K. Wells elected instead to try to obtain an appointment to Judge Advocate General E. H. Crowder's staff, the Attorney-General thereupon, apparently as a reward for his support of the President's preparedness program, indicated to Garner that he would not oppose his nominee.<sup>52</sup> Garner then advised Wells to choose

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<sup>49</sup>J. B. Wells to T. A. Coleman, August 17 and 21, 1916; Coleman to J. B. Wells, August 19, 1916; J. B. Wells to Garner, December 17, 1916, Wells Papers.

<sup>50</sup>J. B. Wells to Garner, January 4, 1917, Wells Papers.

<sup>51</sup>Garner to J. B. Wells, January 7, 1917, Wells Papers.

<sup>52</sup>Ibid., May 17, 1917; J. B. Wells to Garner, July 25, 1917, Wells Papers.

someone and initiate "a quiet but energetic campaign . . . of petitions and letters" from commercial leaders.<sup>53</sup> Wells and Coleman suggested Patt Dunn, but Garner thought that Coleman would be a better choice. Wells agreed; "the appointment would be the same as if I were the Collector. Have Tom nominated and push this through 'WITHOUT DELAY'."<sup>54</sup> A few days later, Coleman was named Collector of the combined Brownsville, Laredo, and Del Rio districts.<sup>55</sup>

In other political matters in 1917, Wells was not always successful. He participated in an unsuccessful drive to change the name of Willacy County to Mifflin Kenedy County and to create a new Willacy County that could be politically controlled by Tom Coleman.<sup>56</sup> In patronage affairs, he secured the appointment of W. F. Timon as judge of the newly created One-hundred-fifth District Court, and, after the death of Federal District Judge Waller T. Burns, he endorsed

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<sup>53</sup> Garner to J. B. Wells, July 27, 1917, Wells Papers.

<sup>54</sup> Coleman to J. B. Wells, August 7, 1917; J. B. Wells to Coleman, August 10, 1917; Garner to J. B. Wells, August 18 and 25, 1917; J. B. Wells to Garner, August 10 and 30, 1917, Wells Papers.

<sup>55</sup> Garner to J. B. Wells, September 20, 1917, Wells Papers; U. S., Congressional Record, 65th Cong., 2d Sess., LVI, Part 1, 562, 616.

<sup>56</sup> J. H. C. White (Secretary, Kenedy Pasture Company) to J. B. Wells, January 8 and 20, 1917; John G. Kenedy to J. B. Wells, January 9 and 27, 1917; J. B. Wells to A. M. Bruni and George Page, February 8, 1917; Parr to J. B. Wells, February 18, 1917; J. B. Wells to Kenedy, February 19, 1917, Wells Papers; Texas, Legislature, Senate Journal, 35th Leg., Reg. Sess., pp. 158, 919.



without success James A. Graham of Brownsville for the position.<sup>57</sup> On the other hand, he led the Valley legislators in a successful effort to obtain South Texas State Normal College for Kingsville.<sup>58</sup> During the most notable political event of the year, the impeachment and trial of Governor Ferguson, Wells, after first offering his support to the chief executive, recanted, and then refused to become involved.<sup>59</sup>

When the United States declared war on Germany, Wells, like most Texans, rallied to the nation's defense. Still suspicious of the Carranza government and angered by the Zimmermann telegram, the aging sixty-seven-year-old attorney, now fully recovered from his accident, and Sam Robertson of San Benito, an old friend and confidant, attempted to form a private "Indian Scouts" cavalry unit to patrol the border; but, unable to secure presidential approval for it,<sup>60</sup> Wells soon abandoned the project, and, instead, organized a secret

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<sup>57</sup>Parr to J. B. Wells, August 28 and 30, 1917; J. B. Wells to Parr, August 29 and 30, 1917; J. B. Wells to J. J. Strickland (Palestine), August 29 and 30, 1917; J. B. Wells to Garner, November 24, 1917; J. B. Wells to Culberson, November 24, 1917, Wells Papers.

<sup>58</sup>John D. Finnegan (King Ranch) to J. B. Wells, March 22 and April 11, 1917, Wells Papers.

<sup>59</sup>J. B. Wells, R. J. Kleberg, and Kenedy to Ferguson, February 15, 1917; Ferguson to J. B. Wells, February 17, 1917; Sayers to J. B. Wells, June 10, 1917; J. B. Wells to Sayers, June 11, 1917; Parr to J. B. Wells, July 28 and September 22, 1917, Wells Papers. Parr backed Governor Ferguson to the end.

<sup>60</sup>J. B. Wells to Garner, April 21, 1917; Garner to J. B. Wells, April 21, 1917, Wells Papers.



intelligence service to operate along the Lower Rio Grande. Throughout the war, he carried on, with the help of Immigration Service inspectors, a Matamoros consul, and the State Council for Defense, a surveillance of pro-German activities and Mexican attitudes.<sup>61</sup>

Wells was also a member of the State Council for Defense. Appointed in May, 1917, by Governor Ferguson, he served as a member of the Council's Legal Committee and its State Protection Committee.<sup>62</sup> The Council was specifically charged with creating and directing local councils, centralizing and coordinating war work, implementing national war programs, and inaugurating independent activities for state defense. Although it actually accomplished very little, other than to achieve a measure of statewide organization, its work occupied much of Wells' time, keeping him away from politics and his practice.

Still, the State Protection Committee provided a medium through which Wells could focus attention on border problems. With fellow members R. J. Kleberg, James G. Kenedy, D. C. Giddings, and C. C. Huff, he was responsible for guarding all

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<sup>61</sup>J. B. Wells to Garner, April 25, 1918; J. B. Wells to \_\_\_\_\_ [Director of the Immigration Service], n.d. [1922], Wells Papers.

<sup>62</sup>Oran Elijah Turner, "History of the Texas State Council of Defense" (unpublished Master's thesis, University of Texas, 1926), p. 32; James E. Ferguson to J. B. Wells, May 14, 1917; J. B. Wells to Ferguson, May 14, 1917, Wells Papers.

points of possible danger and suppressing seditious influences. In his official capacity, he guided state and military authorities on inspections of river defenses and, on one occasion, endeavored to convince Army officials to clear away the shrubbery and brush along the Rio Grande to aid in border patrolling.<sup>63</sup> In late 1917, Wells and R. J. Kleberg recommended to Governor William P. Hobby, who had succeeded Ferguson, that the State Ranger Force be increased substantially in the Valley to prevent another outbreak of border raiding.<sup>64</sup> Apparently, they convinced him, for within a few months the force was greatly strengthened.<sup>65</sup>

In addition to his service on the State Council of Defense, Wells served as chairman of the Cameron County Council of Defense and as a member of the Cameron County Selective Service Board.<sup>66</sup> On the former, he struggled with labor shortages and drought relief and had to pass on all construction applications;<sup>67</sup> on the latter, he had great difficulty

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<sup>63</sup>State Council of Defense, Minutes, April 22, 1918, Texas War Records Collection, Archives, Library, University of Texas; J. B. Wells to J. F. Carl (Council Secretary), April 11, 1918; Carl to Charles B. Wells, March 18, 1918, Wells Papers.

<sup>64</sup>State Council of Defense, Minutes, November 27, 1917, Texas War Records Collection.

<sup>65</sup>Turner, "History of the Texas State Council for Defense," p. 47.

<sup>66</sup>J. B. Wells to Garner, August 27, 1917; J. B. Wells to Carl, September 28, 1917, Wells Papers.

<sup>67</sup>B. F. Johnson (State Council) to J. B. Wells, March 27, 1918; Carl to J. B. Wells, August 3 and Septem-



meeting the monthly draft quotas. Of the 2,300 registrants, many volunteered for service, and, of the remainder more than 700 were aliens who easily slipped across the border to evade conscription. Simultaneously, to supply Fort Ringgold better, Wells promoted, unsuccessfully, a railroad extension from Brownsville to Rio Grande City.<sup>68</sup>

Throughout the war years, the almost seventy-year-old Wells maintained a very heavy workload. During the first months, Harbert Davenport, a young legal assistant, and a very competent law clerk, H. B. Galbraith, left the firm for military service. Both of Wells' sons, eighteen-year-old Robert Carlton and Joe K., his law partner, joined the American Field Service as ambulance drivers in France.<sup>69</sup> Wells tried to practice alone, but the great amount of time he devoted to war work precluded his earning a living. By the end of the war, he was near bankruptcy and had lost most of his land. Despite his losses, he borrowed enough money to purchase at least \$17,500.00 of Liberty Bonds.<sup>70</sup>

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ber 30, 1918; J. B. Wells to Carl, October 15, 1918; W. P. Hobby to J. B. Wells, November 27, 1918; J. B. Wells to Hobby, November 29, 1917, Wells Papers.

<sup>68</sup>Frank Andrews to J. B. Wells, n.d. [1918]; J. B. Wells to J. R. Monroe, February 7 and 9, 1918; Monroe to J. B. Wells, February 7 and 9, 1918, Wells Papers.

<sup>69</sup>J. B. Wells to Robert C. Wells, May 8, 1917; J. B. Wells to Garner, June 9, 1917, Wells Papers; Austin American, July 10, 1917.

<sup>70</sup>E. J. Tucker (Merchants National Bank, Brownsville) to J. B. Wells, August 4, 1919, Wells Papers.



Of all his wartime experiences, Wells found only Governor Hobby's "Americanization" program repugnant. In 1918 the Governor appointed three Special Rangers in each county "to assist local, county, state, and national officers to ferret out Mexican propaganda, pro-Germanism, and anti-Americanism."<sup>71</sup> At first, Wells endeavored to get appointees who were not biased against Texas-Mexicans assigned to the Valley, and afterward he called a number of conferences between Rangers and local peace officers in the interests of "our loyal and leading Mexicans."<sup>72</sup> He wanted, of course, no harassment of a segment of voters on whom he could rely, and, furthermore, the Rangers might interfere with his intelligence operations. After Frank Rabb and Lon Hill were appointed in Cameron County by Ranger Captain Charles F. Stevens, who had repeatedly evidenced hostility toward Texas-Mexicans, Wells became suspicious that the "Hobby loyalty" movement was in reality an attack on his political enclave.<sup>73</sup> With memories of the San Diego Plot still vivid, the Rangers regarded all Mexican-Texans with suspicion and contempt. As a result, their loyalty efforts

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<sup>71</sup>Conner, "A History of the Parr-Glasscock Election Contest, 1918-1919," p. 27.

<sup>72</sup>J. B. Wells to J. A. Harley (Adjutant General), April 25, 1918; Harley to J. B. Wells, April 25, 1918; Tinie to J. B. Wells, June 4, 1918, Wells Papers; W. F. Woodul to J. B. Wells, May 17, 1918; Captain C. F. Stevens (Mercedes) to Woodul, May 23, 1918, Adjutant General's Correspondence, May 23 to May 31, 1918.

<sup>73</sup>Texas, Senate Journal Supplement, 1919, p. 358.

often resulted in charges of cruelty and even of inhumanity, but to many Texans, acts of violence toward Mexican-Texans seemed like acts of virtue.<sup>74</sup> Later in the year, wherever Rangers watched over the polls, Mexican-Texans refused to vote.

The Rangers' harassment of Mexican-Texans was at least partially responsible for an energetic effort in 1918 by the newcomers to overthrow the "old guard." Political upheaval began in Hidalgo County where in February the newcomers faction, led by James H. Edwards, instituted ouster proceedings against County Treasurer John Closner. Earlier, an auditor had discovered a shortage of \$164,000.00 in county funds. When Rangers were called upon to investigate, Wells advised them to be diplomatic because "the old crowd" would retain control of the county regardless of the outcome of the case.<sup>75</sup> Adjutant General J. A. Harley, however, sent Captain Charles F. Stevens, who encouraged the newcomers. When Closner was subsequently indicted for embezzlement, he resigned his position and left factional leadership in the hands of Sheriff A. Y. Baker.<sup>76</sup>

Meanwhile, a hot gubernatorial contest developed in the Valley between James E. Ferguson and W. P. Hobby. Early in

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<sup>74</sup>Conner, "A History of the Parr-Glasscock Election Contest, 1918-1919," p. 28.

<sup>75</sup>W. M. Ranson (Special Investigator) to Harley, February 11, 1918, Adjutant General's Correspondence, February 8-15, 1918.

<sup>76</sup>Closner to J. B. Wells, February 15, 1918; Copy of Indictment, Wells Papers.



the year, Wells signified that he was willing to lead the local campaign for the Beaumont newsman, but Hobby's managers passed over him and aligned with J. C. George of Cameron County and such anti-Wells leaders as Lon Hill, Frank Rabb, Roy Miller, Mayor of Corpus Christi, and Charles H. Flato, Jr., of Kingsville.<sup>77</sup> Despite this, Wells decided that, because of Ferguson's impeachment and conviction in 1917 for malfeasance in office, he would work for Hobby.<sup>78</sup> Just before the election, he reported that Starr County, once doubtful, would vote solidly for Hobby but that Hidalgo County was now under the control of A. Y. Baker, a cousin of Lonnie Bates and a friend of Ferguson.<sup>79</sup> Apparently, this report caused the Hobby people to use the Rangers to intimidate Baker's basic strength, the Mexican-Texans.<sup>80</sup>

Duval County was also doubtful. There, Hobby representatives, Ranger Captain W. M. Hanson and Major W. F. Woodul, were reputed to have offered Parr the withdrawal of D. W. Glasscock of McAllen, his opponent in the Twenty-third Sena-

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<sup>77</sup>Mrs. D. P. Gay, Jr. (San Benito) to J. B. Wells, May 15, 1918, J. B. Wells to O. S. Carlton (Hobby Headquarters), June 12, 1918; Carlton to J. B. Wells, June 13, 1918, Wells Papers.

<sup>78</sup>Walter J. Crawford (Hobby Headquarters) to J. B. Wells, June 21, 24, July 19, and 29, 1918; Jasper Collins to J. B. Wells, July 19, 1918, Wells Papers. Ferguson maintained that the injunction against his holding state office was of no effect because he had resigned from the governorship before the Senate removed him from office.

<sup>79</sup>J. B. Wells to Crawford, July 19, 1918, Wells Papers.

<sup>80</sup>Texas, Senate Journal Supplement, 1919, p. 168.



torial District race, in return for Duval County's Mexican-Texan votes. Although his friends, including Wells, urged him to accept the offer, Parr refused. Shortly afterward, Rangers were sent to Duval County to observe the primary.<sup>81</sup>

Parr soon had reason to regret his decision. In March, a called session of the Thirty-fifth Legislature granted woman suffrage in primary contests.<sup>82</sup> Until this turn of affairs, Parr, long a consistent foe of prohibition and of female suffrage, had felt confident of victory; now, he was uncertain, especially after a survey revealed that most women favored Glasscock. In desperation, he asked Wells for help.<sup>83</sup> "This WOMANS' vote," the Jefe wrote Garner, "has got the whole State of Texas upside down; no one on earth can either tell how they are going to vote or control them, but it is generally known that they will be largely for Glasscock."<sup>84</sup> As the primary neared, the Duke of Duval despaired. "The Lord only knows what these women are going to do," he lamented; "can't you [Wells] vote the Mexican women?"<sup>85</sup>

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<sup>81</sup>Ibid., p. 176.

<sup>82</sup>Texas, Legislature, Senate Journal, 35th Leg., 4th Called Sess., pp. 184, 316.

<sup>83</sup>Parr to J. B. Wells, June 19, 24, and July 14, 1918, Wells Papers.

<sup>84</sup>J. B. Wells to Garner, July 11, 1918; J. B. Wells to Parr, July 18, 1918, Wells Papers.

<sup>85</sup>Parr to J. B. Wells, July 25, 1918, Wells Papers.

Notwithstanding the threat to Parr, Wells was too busy to give substantial help. Over the previous three years, his war work and involvement in border defense had almost completely removed him from local politics. As an example of his loss of contact with local affairs, he, as County Democratic Party Chairman, appointed E. W. Archer of Lyford as a precinct election judge for the primary. Archer respectfully declined the post "on account of being a life-long Republican."<sup>86</sup> Glasscock was an easy victor in Cameron County.<sup>87</sup>

In the district as a whole, no clear winner in the Parr-Glasscock contest emerged. Early unofficial returns gave Glasscock a slim majority, but Duval County had not reported. Later, when returns from Duval County gave Parr 1,303 votes and Glasscock 23, the former claimed victory by a margin of 118.<sup>88</sup> Because the returns from Duval County were late and because the Rangers alleged that irregularities had occurred there, the Glasscock supporters charged that Parr's edge was fraudulently obtained. They hoped to control the district senatorial convention and there throw out the Duval County votes.<sup>89</sup>

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<sup>86</sup>J. B. Wells to E. W. Archer, July 8, 1918; Archer to J. B. Wells, July 10, 1918, Wells Papers.

<sup>87</sup>Certification of Returns of July 27, 1918, Primary for State Senator, 23rd Senatorial District, Cameron County, Wells Papers.

<sup>88</sup>Parr to J. B. Wells, August 4, 1918; J. B. Wells to Parr, August 5, 1918, Wells Papers.

<sup>89</sup>Texas, Senate Journal Supplement, 1919, p. 254.



Wells, however, outmaneuvered the opposition and won the contest for Parr. The Cameron County Convention had instructed its unnamed delegation to the district senatorial convention to cast its five votes as a unit for Glasscock.<sup>90</sup> When the district convention convened on August 24 in Corpus Christi, Wells and three Glasscock men were present. Glasscock's supporters expected that Cameron County's five votes would enable them narrowly to reject Duval County's returns. Just before the convention opened, however, nine pro-Parr delegates from Brownsville arrived. Although instructed to vote for Glasscock, they intended to vote to include the Duval County returns and, thus, give Parr the nomination.<sup>91</sup>

The Glasscock men thereupon met at two o'clock in the Nueces County Court House to plan strategy. While caucusing, they heard that, rather than at four o'clock as the newspapers had announced, District Chairman R. R. Savage had written Marcus Phillips of Kingsville that the convention would be held at two o'clock. On this basis, the caucus immediately organized as a convention, passed an ordinance to throw out the Duval County vote, and nominated Glasscock for state senator.<sup>92</sup> Then, most of the Glasscock men went home. Six

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<sup>90</sup>Minutes of the Cameron County Democratic Convention, August 3, 1918, Wells Papers.

<sup>91</sup>Texas, Senate Journal Supplement, 1919, p. 1029.

<sup>92</sup>Ibid., pp. 734, 751, 900; Corpus Christi Caller, August 24 and 25, 1918.



counties, Hidalgo, Starr, Duval, Zapata, McMullen, and La Salle, all Parr strongholds, had not been present. Meanwhile, the District Executive Committee, comprised primarily of Parr supporters, canvassed the primary vote and held that Parr had received 6,600 votes to Glasscock's 6,482.<sup>93</sup>

When the regular convention met at four o'clock, Parr won certification as the state senator nominee. Although Glasscock delegates from Nueces, Kleberg, San Patricio, Brooks, Jim Hogg, and Willacy counties were noticeably absent, the remaining delegates represented eighteen of the thirty-one district votes, a quorum, and of these, thirteen were pledged to Parr. By a vote of thirteen to five, the convention approved the vote announced by the Executive Committee, and, as chairman of the convention, Wells had the result wired to the Secretary of State.<sup>94</sup>

While the Secretary of State weighed the situation, the Glasscock group appealed to the State Democratic Convention. The Convention, which met in Waco on September 4, was controlled by Hobby supporters, among whom were several Glasscock men. After Claude Pollard, Glasscock's attorney, reported to the Credentials Committee that a Ranger investigation had revealed frauds in the Duval County primary, Lon C. Hill, a member of the committee, then introduced a resolution

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<sup>93</sup>Texas, Senate Journal Supplement, 1919, pp. 252, 738.

<sup>94</sup>Ibid., pp. 750, 853.

denying the Duval delegation a seat and directing that the Duval vote not be counted for any candidate. The Hill resolution was adopted. Roy Miller then proposed to the Platform and Resolutions Committee that "the name of Archie Parr be not certified by the Secretary of State as the Democratic candidate for the senate in the 23rd District." The Miller proposal was adopted and easily passed the Convention.<sup>95</sup> Before the Convention adjourned, Glasscock had received the endorsement of the State Executive Committee, the Convention, the State Chairman, and the Governor, and a few days later, the Secretary of State certified him as the Democratic Party nominee.<sup>96</sup>

Wells, however, refused to accept defeat. Encouraged by a recent court decision which held that the statute enfranchising women was unconstitutional,<sup>97</sup> he had Parr petition the Ninety-second District Court at Edinburg to review the results of the primary and the regularity of the convention which had nominated Glasscock.<sup>98</sup> District Judge F. S. Chambliss then issued a temporary injunction restraining all

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<sup>95</sup>Galveston Daily News, September 4 and 5, 1918.

<sup>96</sup>Andrews to Flato, October 24, 1918; Marshall Hicks to J. B. Wells, September 25, 1918, Wells Papers.

<sup>97</sup>James R. Dougherty (Edinburg) to J. B. Wells, September 26, 1918; J. B. Wells to Dougherty, September 27, 1918, Wells Papers; Galveston Daily News, September 18, 19, and 27, 1918.

<sup>98</sup>Texas, Senate Journal Supplement, 1919, p. 12.



county clerks from recognizing Glasscock as the nominee.<sup>99</sup> Subsequently, when the case was called, he ruled that the district two o'clock convention was illegal, that consequently the Secretary of State's certification was without effect, and that Parr's name must be printed on the ballot as the official nominee of the Democratic Party.<sup>100</sup>

Several prominent South Texans thereupon decided to conduct a write-in campaign for Glasscock. Meeting on October 20 in Kingsville, they organized the Hobby-Glasscock Club with Flato as chairman. "We are going to appeal to all loyal, patriotic voters," Flato explained, "to go to the polls, scratch Parr's name, and write in the proper blank space the name of D. W. Glasscock."<sup>101</sup>

The campaign quickly deteriorated into a war of invective and innuendo. Expending large sums for newspaper advertisements, the Hobby-Glasscock Club alleged that a vote for Parr was un-American and corrupt. Glasscock would have been an easy victor, declared Miller, "except for the corruption and illegal voting of Parr's Aztec henchmen from the Rio

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<sup>99</sup>Hicks to J. B. Wells, September 25, 1918; J. B. Wells to Hicks, September 27, 1918, Wells Papers; Galveston Daily News, October 1 and 2, 1918.

<sup>100</sup>Texas, Senate Journal Supplement, 1919, p. 15.

<sup>101</sup>In addition to Charles Flato, the leaders were Caesar Kleberg, who had replaced Joe K. Wells on the State Executive Committee, Lon Hill, Frank McGill of Alice, John H. Shary of Mission, Roy Miller, J. E. Russell of Sinton, and J. A. Brooks of Falfurrias. Galveston Daily News, October 21, 1918.



Grande." Then, quoting a telegram from Governor Hobby that "an untainted Democracy at home is as much to be desired as an un-Kaisered Democracy abroad," the Glasscock campaigners charged that Parr had secured nomination "by stuffing the Duval ballot boxes with three times the number of actual voters. Be men," they urged, "and show the boys 'Over There' that you are no more afraid than they to crush the thrones of Kings and Kaisers."<sup>102</sup> Parr countered that Rangers were intimidating Mexican-Texan voters and that "since Glasscock was calling 'socialists and everything else' to his support, he was in effect an independent candidate, rather than the Democratic one." Several of Parr's supporters from Mission also pointed out that Glasscock had lost his Hidalgo County home box in the primary by 356 to 41.<sup>103</sup> Naturally upset by the calumnious attacks on Parr and the Mexican-Texans, Wells became active. After rejecting a Parr proposal to ask all county chairmen to publish a statement that those who did not vote a straight Democratic ticket would not be permitted to vote in the next primary, he urged regional leaders to publicize Glasscock as a "Bolting Independent."<sup>104</sup>

In a light voter turnout, the election was as indeci-

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<sup>102</sup>Corpus Christi Caller, November 3 and 5, 1918.

<sup>103</sup>Conner, "A History of the Parr-Glasscock Election Contest, 1918-1919," p. 54.

<sup>104</sup>Parr to J. B. Wells, October 19 and November 2, 1918; J. B. Wells to Covey C. Thomas, November 1, 1918; J. B. Wells to A. M. Bruni, November 3, 1918, Wells Papers.

sive as the primary and the district convention. On the basis of incomplete returns, both candidates claimed victory, with margins ranging from three hundred votes for Glasscock to more than five hundred for Parr.<sup>105</sup> But, F. A. Chapa, a Glasscock supporter and publisher of San Antonio's influential El Imparcial de Texas, confidently editorialized:

As the power of Germany [was], so was the power of Lawyer Wells to serve a cause . . . established in the most far away selfishness.

In the future, every political organization that may be established . . . should not avail themselves of GOD-FATHERS (PADRINOS), who always work for their own benefit.

Now sing to the political corpse of Jim Wells a response and give it merciful burial in the Tomb of Oblivion.<sup>106</sup>

"It simply means," Chapa added, that "the shadow of Jim Wells has disappeared, and is forever now out."<sup>107</sup>

But, Chapa spoke too soon. On December 6, Judge Hugh Sutherland, returning officer for the Twenty-third Senatorial District, reported that Parr had a majority of 624 votes. Glasscock had lost almost two hundred votes through technical errors in Nueces County and by the failure of certain Cameron County precincts to report.<sup>108</sup> In late December,

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<sup>105</sup> Parr to J. B. Wells, November 7, 1918, Wells Papers; Corpus Christi Caller, November 7, 8, and 9, 1918.

<sup>106</sup> Flato to F. A. Chapa, n.d. [1918], Wells Papers.

<sup>107</sup> Chapa, "The Political Oppression Has Forever Gone Out of Existence in the Region of the Rio Grande Valley," El Imparcial de Texas, n.d., Wells Papers.

<sup>108</sup> Conner, "A History of the Parr-Glasscock Election Contest, 1918-1919," p. 57; Texas, Senate Journal Supplement, 1919, p. 554.



Glasscock decided to contest because of the "lost" votes and because, according to the Rangers, many aliens had voted in Starr County. Judge Sutherland was ordered to forward all records to the clerk of the state Senate.<sup>109</sup>

While the disputants were preparing their cases, Garner asked Wells if the contest had any meaning for him. It was really a Ferguson-Hobby fight, the Jefe replied; Parr had been singled out for defeat because he was one of five senators who had stood by Ferguson in 1917. Glasscock agreed to lead the opposition because he "has an eye on your seat and is encouraged by" R. M. Johnson of the Houston Post, O. C. Carlton of Dallas, W. J. Crawford, C. H. Flato, and Caesar Kleberg. But, "Have no fear," Wells concluded, "we can beat them hands down and will when they put their Horse on the Track"! <sup>110</sup> Thus, the Jefe disclosed that he had entered the contest to protect Garner.

Meanwhile, Wells prepared to help Parr. In case that a special election was called, he made sure that all his friends paid their poll taxes. Moreover, in January, 1919, when the Thirty-sixth Legislature convened, he apparently was behind a resolution, introduced by J. T. Canales, that condemned the Rangers for interference during the Parr-

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<sup>109</sup>J. B. Wells to Parr, December 26, 1918, Wells Papers; Corpus Christi Caller, December 27, 1918.

<sup>110</sup>Garner to J. B. Wells, November 25 and December 9, 1918; J. B. Wells to Garner, December 1, 1918, Wells Papers.



Glasscock campaign.<sup>111</sup> His objective was to place on the defensive those "life-long Republicans, as Captain Bill Hanson," who caused the Governor and Adjutant General to "ignor true Democrats."<sup>112</sup> The legislature appointed a Joint Committee to investigate the Rangers, and the Committee heard testimony of many irregularities. After the investigation, Canales introduced and secured passage of a bill to reorganize the Ranger Force.<sup>113</sup>

Canales' efforts had the desired effect. Although the Corpus Christi Caller suggested that he was being used as a catspaw,<sup>114</sup> many Valley residents, becoming fearful that the Ranger service might be abolished, petitioned the legislature to save the force.<sup>115</sup> Certainly, there was a genuine need for the Rangers, and Wells and Canales had no desire to destroy them. Rather, they wanted to create the impression that the Rangers had been used politically to work against Parr, and, in this, they succeeded. The Canales bill pro-

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<sup>111</sup>Canales to J. B. Wells, January 17, 1919; J. B. Wells to Canales, January 18, 1919, Wells Papers; Texas, Legislature, House Journal, 36th Leg., Reg. Sess., pp. 177, 196-197, 211.

<sup>112</sup>J. B. Wells to W. W. Taylor, October 20, 1919, Wells Papers.

<sup>113</sup>Parr to J. B. Wells, February 1, 1919, Wells Papers; Texas, Legislature, House Journal, 36th Leg., Reg. Sess., pp. 535, 1145.

<sup>114</sup>Corpus Christi Caller, January 29, 1919.

<sup>115</sup>Ibid., p. 223; Brownsville Herald, December 31, 1918.

vided for four permanent companies in peace time and established qualifications, a pay scale, and a code of conduct that required cooperation with local officials and forbade mistreatment or intimidation of prisoners.<sup>116</sup>

When the election contest came before the Senate, the result was a victory for Parr and Wells. Testimony revealed that Glasscock had spent far more than Parr, that Rangers had interfered in the election in behalf of Glasscock, and that both candidates apparently had "voted" illegally aliens and, in other ways, violated the letter and spirit of the law. Near the end of the hearing, Wells was characterized as a "boss" politician who illegally manipulated the Mexican-Texan vote. Denying the charge, his subsequent testimony gave a rare insight into the politics of the Lower Rio Grande Valley. His leadership, he said, was based upon the Mexican-Texan people; "if you understand them," they:

. . . are the most humble people you ever knew. . . . They are largely like Indians in that respect. Their friendship is individual, . . . and they . . . [will] follow your name and your fortunes, and that is the way it is. . . . I suppose . . . [the Klebergs] control 500 votes, . . . and they go to Mr. Caesar Kleberg and to Robert Kleberg, and to Captain King-while he was living-and ask him whom they should vote for. The truth is, and very few people who don't live in that country know, that it is the property owners and the intelligent people who in that way do really vote Mexicans, and that is the truth about it, . . . They . . . are . . . controlled . . . through friendship and love. The Kings have always protected their ser-

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<sup>116</sup>Texas, Legislature, House Journal, 36th Leg. Reg. Sess., pp. 37, 177, 197, 211, 223, 1093, 1119, 1145.



vants and helped them when they were sick and never let them go hungry, and they always feel grateful, and it naturally don't need any buying or selling or any coercion-they went to those who helped them when they needed help. . . . And . . . the idea of looking to the head of the ranch . . . for [political] guidance . . . came legitimately and naturally from Spanish rule-that idea did.

So far as I being boss, if I exercise any influence among these people, [it is] because in the forty-one years I have lived among them I have tried to so conduct myself as to show them that I was their friend and they could trust me. I take no advantage of them in their ignorance. I buried many a one of them with my money and married many a one of them; it wasn't two or three days before the election, but through the year around, and they have always been true to me; and if it earned me the title of boss, every effort and all my money went for the benefit of the Democratic ticket from president to constable; and if that is what earned it, I am proud of it. . . .<sup>117</sup>

On March 13, the Senate, by vote of sixteen to fourteen, seated Parr.<sup>118</sup>

The decision should have ended the controversy, but it did not. It divided South Texans into new coalitions that long endured. Wells was especially bitter. He refused thereafter to back anyone that had taken part in the Glasscock challenge, even breaking with R. J. Kleberg when, in 1920, he proposed Marcus Phillips for the legislature. "You know, Robert, full well," he said, "that I wish to support, and help elect any man that meets your entire approval,-but

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<sup>117</sup>Texas, Senate Journal Supplement, 1919, pp. 846-851.

<sup>118</sup>Hicks to J. B. Wells, February 22, 1919; J. B. Wells to Hicks, February 26, 1919; H. M. Skelton to J. B. Wells, March 12, 1919; Parr to J. B. Wells, March 11 and 13, 1919; J. B. Wells to Parr, March 13, 1919, Wells Papers; Texas, Senate Journal Supplement, 1919, p. 1054.



I do not care to support one whom I regard as traitor to the Democratic Party."<sup>119</sup> He blamed the division of South Texas Democrats on President Wilson's interference in local matters and departure from Jeffersonian doctrine. "And I am now constantly asking myself," he said, "if Mr. Wilson is a Democrat, if I am."<sup>120</sup>

Although Parr emerged victorious in 1919, the predominance of Wells in the Valley was obviously over. With the influx of thousands of newcomers into Cameron, Hidalgo, Willacy, and Nueces counties, Wells could no longer count on the Mexican-Texans to provide huge majorities for his candidates. Conditions had become too diverse for him to control the entire region. Moreover, he was now nearing his seventieth year, and his strength was rapidly deteriorating. Yet, for a while thereafter, he was occasionally able to bring leading men together to decide important regional issues.

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<sup>119</sup>R. J. Kleberg to J. B. Wells, March 26, 1920; J. B. Wells to R. J. Kleberg, March 28, 1920, Wells Papers.

<sup>120</sup>J. B. Wells to John N. Wagstaff (Abilene), May 15, 1919, Wells Papers.

## CHAPTER XII

### CONCLUSION

Henry P. Drought, Wells' long-time friend and creditor, once observed, "Jim-you are the finest lawyer and poorest bill collector in Texas." "Thank you," replied Wells, "for both of those compliments."<sup>1</sup> Drought's pithy characterization, however, was not a commendation. For more than forty-years, Wells had demonstrated an uncommon ability to take care of everybody's business but his own.

Always optimistic about his financial prospects, Wells continued after 1910 to speculate in land. Encouraged by a large Starr County sale in 1911 which netted him \$20,000.00 and convinced that the land boom would soon extend to the northwest of McAllen, he decided to purchase land in that region. He used the proceeds from the Starr County sale to reduce his indebtedness to Drought from \$56,000.00 to \$36,000.00 and then mortgaged Mrs. Wells' "Little Pasture," near Brownsville, for \$10,000.00 to finance his new speculations. Before the end of the year, he had acquired more than 13,000 acres in Starr County and for \$53,136.00, borrowed from

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<sup>1</sup>Robert C. Wells to Baulch, interview, July 9, 1973.



Closner, another 8,856 acres in Hidalgo County.<sup>2</sup> In 1912, Wells obtained an additional \$47,400.00 from Drought, and, over the next three years, added to his holdings until he owned 87,884 acres in Starr County and 28,451.3 acres in Hidalgo County. He also held 3,767.87 acres in Aransas County, substantial acreage in Cameron County, and by lease another 22,916 acres eighteen miles northeast of Rio Grande City.<sup>3</sup>

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<sup>2</sup>Warranty Deeds, Rosendo Peña to J. B. Wells, 72,557 acres, February 1, 1911, Book 34, 95-101; George W. Smith to J. B. Wells, 2560 acres, August 31, 1911, Book 34, 592-594; Dionicio Ramirez and Julia I. Ramirez to J. B. Wells, 2560 acres, September 1, 1911, Book 34, 585-589; A. L. Truitt to J. B. Wells, 640 acres, October 5, 1911, Book 35, 95-97, Deed Records, Starr County; Warranty Deed, Abundio Longoria to J. B. Wells, 2560 acres, September 16, 1911; Statement of Money Due, J. B. Wells to Closner, November 23, 1911; Note, J. B. Wells to Closner, November 23, 1911; J. B. Wells to H. P. Drought and Company, April 29, May 11, and 30, 1911; H. P. Drought and Company to J. B. Wells, May 20 and 31, 1911; Extension of Interest Notes to July, 1913, J. B. Wells to H. P. Drought, June 17, 1911; Agreement, J. B. Wells to H. P. Drought and Company, June 27, 1911; J. B. Wells to W. B. Clint (buyer, San Antonio), June 2, 1911; Mortgage With Power, J. B. Wells to Charles E. Wells (Nueces County), July 15, 1911, Wells Papers.

<sup>3</sup>Warranty Deeds, A. L. Truitt and Mary C. Truitt to J. B. Wells, 2560 acres, August 30, 1912, Book 35, 629-634; Gavino Silva and Reyes Cruz de Silva to J. B. Wells, 6250 acres, May 15, 1913, Book 37, 27-30, Deed Records, Starr County; J. B. Wells to H. P. Drought and Company, Deed of Trust and Lien on 19,056.7 acres, May 6, 1912; Inventory of Property, 1910, 1911, 1912, 1913, 1914, 1915, and 1916; Tax Receipt, January 31, 1914; Release of Mortgage, Charles E. Wells to J. B. Wells, May 25, 1914; H. B. Terrell (Comptroller of Public Accounts) to J. B. Wells, Certification of Taxes Paid on Starr County and Hidalgo County Land, 1910-1916, January 15, 1917; Lease and Rent Contract, A. J. Bloomberg (New York City) to J. B. Wells, September 24, 1915; State and County Tax Receipt, Aransas County, 1916, Wells Papers.



In addition to his land acquisitions, Wells made two promising investments. In 1915, with Closner, W. F. Sprague, J. R. Alamia, and several others, he purchased the Chapin Townsite Company and reorganized it as the Edinburg Townsite Company. As Edinburg grew, the company stood to gain, but Closner's indictment and difficulties in 1918 brought ruin to the venture.<sup>4</sup>

In 1916, Wells invested in another oil company. With F. Stine of Henrietta, P. A. Presnall of Alice, S. L. McDonald of Waco, R. B. Coon of San Antonio, and B. W. Frost of Benavides, he formed the San Diego Oil and Gas Company, capitalized at \$100,000.00. The company leased acreage in the heart of the Noleda Oil Field and, in 1916, drilled two producing oil wells. Holding 230 shares, Wells was the second largest stockholder in the company and served as its president until illness forced his retirement. Although the company was producing six hundred barrels of oil a day by 1920 and Wells had great hopes for making money, he eventually lost his stock to creditors.<sup>5</sup>

Land speculation, rather than oil, however, led to

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<sup>4</sup>Minutes, Edinburg Townsite Company, May 14, 1915; J. B. Wells to Eloisa V. de Flores (Mission), July 19, 1919, Wells Papers.

<sup>5</sup>Agreement, San Diego Oil and Gas Company, April 16, 1917; Minutes, May 20, 1917; List of Stockholders, March 23, 1920; J. B. Wells to R. C. Wells, March 24, 1920; J. B. Wells to Walter R. Perkins (Alice), June 24, 1920, Wells Papers.

Wells' financial ruin. Border conditions after 1915 slowed Valley growth, and Wells had great difficulty holding on to his property. Taxes on his lands in Starr and Hidalgo counties between 1914 and 1916 amounted to \$12,982.98, and, by 1917, interest on his debt to Drought was \$50.00 a day. When Drought demanded payment, Wells was forced to part with the land at a great loss. Complicating his problems, he lost a considerable sum when his nephew, Frank Vaughn, failed as a banker in Houston. In 1918, he rendered for taxation only 19,495 acres in Hidalgo and Starr counties.<sup>6</sup> Although by then most of the land had been lost, most of the debt remained.<sup>7</sup> During his last years, Wells strove valiantly to meet the demands of his creditors but was unable to overcome the handicap of a drought in 1918, the expenses of his political campaigns, and an economic depression in 1919. It was more than twenty-five years after his death before his sons were able to satisfy all of the demands against him.<sup>8</sup>

Meanwhile, Tinie Wells became politically active. Although she had always watched over Brownsville political matters when her husband was away, Tinie had never partici-

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<sup>6</sup>Isa Vaughn to J. B. Wells, October 2, 1917; Tax Receipt, Hidalgo and Starr counties, 1914-1916; Drought to J. B. Wells, February 19 and 28, 1917; Tax Receipt, Hidalgo and Starr counties, 1918, Wells Papers.

<sup>7</sup>E. J. Tucker (Cashier, The Merchants National Bank, Brownsville) to J. B. Wells, August 4, 1919, Wells Papers.

<sup>8</sup>Robert C. Wells to Baulch, interview, July 9, 1973.



pated in statewide politics. In 1915, however, when the State Woman Suffrage Association established headquarters in Austin and began an active lobby, she initiated counter efforts by supplying the legislators with anti-suffragist arguments. As the official Texas representative of the National Association Opposed to Woman Suffrage, she organized and became president of the Texas anti-suffragists and, in March, addressed the Senate so effectively, she believed, that she was instrumental in defeating a woman suffrage bill.<sup>9</sup>

Tinie's first attempt to lobby was an unpleasant experience. Members of the Thirty-fourth Legislature, including Patt Dunn and Will Seabury, laughed at her anti-suffragist views, and Lonnie Bates tried to avoid her. After meeting and talking with the Duke of Duval, she wrote her husband that "Archie Parr can go to the Penitentiary yet, and I'll never lift my finger to save him. . . . He don't owe me any favors-nor do I owe him any." Her husband and sons could do better, she concluded, than to have such "blood suckers around."<sup>10</sup>

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<sup>9</sup>Pauline J. Wells to Josephine (Mrs. Arthur M.) Dodge (New York), February 19, 1915; Dodge to P. J. Wells, February 24, 1915; Tinie to J. B. Wells, March 2, 1915; E. R. Garner to J. B. Wells, March 10, 1915, Wells Papers; Austin American, February 26, 1915; Texas, Legislature, House Journal, 34th Leg., Reg. Sess., pp. 617, 846; A. Elizabeth Taylor, "Woman Suffrage Movement in Texas," The Journal of Southern History, XVII (24 August, 1951), 208.

<sup>10</sup>P. J. Wells to J. B. Wells, February 27 and March 3, 1915, Wells Papers.



The Wells' participation thereafter in the anti-suffragist drive amounted to little more than distribution of literature and contribution of funds. In 1917, when a few of Governor Ferguson's supporters reminded the electorate that woman suffrage would mean the enfranchisement of Black women, the Wells family carefully avoided identification with the racists and sat out the suffrage fight that year. In 1919, after Governor Hobby recommended that the legislature enfranchise women, Mrs. Wells, who maintained that woman suffrage would lead to "the encroachment of Socialism," again organized the anti-suffragists. Wells contributed \$2,000 to her campaign, persuaded R. J. Kleberg to donate another \$1,000, and was among those who prevailed upon Joseph W. Bailey to return to Texas to fight the suffragists.<sup>11</sup> The campaign was successful. Texans rejected a woman suffrage amendment by 25,000 votes in a special election on May 24.<sup>12</sup> Early in June, however, a federal woman suffrage amendment was submitted to the states, and, despite the efforts of Tinie Wells to defeat it, which included another address to the legislature, the Thirty-fifth Legislature ratified the

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<sup>11</sup>John D. Finnegan (King Ranch) to J. B. Wells, March 12, 1919; J. B. Wells to Finnegan, October 31, 1919; P. J. Wells (Fort Worth) to J. B. Wells, February 21 and April 23, 1919; J. E. Ferguson to J. B. Wells, June 9, 1919; J. B. Wells to Ferguson, June 10, 1919; J. B. Wells to Joseph W. Bailey, April 4, 1917, Wells Papers.

<sup>12</sup>Dallas Morning News, June 15, 1919; J. B. Wells to D. F. Strickland (Mission) June 26, 1919, Wells Papers; S. L. Staples, Supplemental Biennial Report of the Texas Secretary of State, 1922 (Austin: A. C. Baldwin and Sons, 1922), p. 27.

Nineteenth Amendment without risking a popular referendum.<sup>13</sup>

Following the anti-suffragist loss, Wells became an infrequent political participant. The war was over; his sons were home; he was often ill; and legal matters, especially the defense of Closner, required his remaining strength and time.<sup>14</sup> In early 1920, however, he traveled to Washington to encourage Joseph W. Bailey to run for governor; shortly afterward, Bailey announced.<sup>15</sup> The return of Bailey aroused considerable Valley opposition. A new faction, led by Will Seabury, J. C. George, and Volney Taylor, all former allies of Wells, supported Patt Neff of Waco against Bailey and entered candidates against District Judge W. A. Hopkins and District Attorney John Kleiber. Wells was able to discourage the opposition to Hopkins, but, before he could do more, his health failed, and, in July, his doctor placed him in the Touro Clinic in New Orleans. When he returned in late August, he was forbidden to engage in public speaking or to do anything not connected with his law practice. Subsequently, Seabury became county chairman; Neff carried Cameron County;

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<sup>13</sup>Parr to J. B. Wells, June 12, 1919, Wells Papers; Texas, Legislature, Senate Journal, 35th Leg., 2nd Called Sess., 1919, p. 52; Texas, Legislature, Senate Journal, 35th Leg., 4th Called Sess., p. 300.

<sup>14</sup>J. B. Wells to T. Wesley Hook (San Antonio), October 1, 1919; J. B. Wells to Closner, October 14, 1919; Closner to J. B. Wells, October 17, 1919; Parr to J. B. Wells, October 28, 1920, Wells Papers.

<sup>15</sup>J. K. Wells to Richard F. Burges (El Paso), January 30, 1920; J. B. Wells to R. C. Wells (Princeton), February 25, 1920, Wells Papers.



and John Kleiber was defeated for reelection.<sup>16</sup>

Despite his restrictions, Wells continued to lend his influence to causes that he deemed worthy. Always a lover of birds, he initiated efforts in Texas to set aside areas in the Laguna Madre above Point Isabel for the protection of egrets, herons, and other sea birds and became an active member of the Audubon Society. Working with Gilbert Pearson, president of the Audubon Society, he promoted wildlife conservation along the coast and brought Land Commissioner J. T. Robeson into the campaign. In 1921, after he personally lobbied in Austin, the legislature set aside Green Island, Two Bird Island, and Three Islands in the Laguna Madre for the conservation of sea bird life.<sup>17</sup>

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<sup>16</sup>Parr to J. B. Wells, May 27 and June 8, 1920; J. B. Wells to Parr, April 11 and June 9, 1920; J. K. Wells to J. B. Wells, May 2, 1920; L. M. Valdetero (San Benito) to J. B. Wells, May 15, 1920; W. B. Hopkins to J. B. Wells, June 8 and July 12, 1920; J. B. Wells to Hopkins, June 9, 10, 11, and July 12, 1920; J. B. Wells to Timon, June 9, 1920; James A. Graham (Ranger) to J. B. Wells, June 22, 1920; J. B. Wells to Graham, June 25, 1920; J. M. Browne (Bailey Headquarters) to J. B. Wells, July 10, 1920; J. B. Wells to Browne, July 12, 1920; F. H. Bushick (San Antonio) to J. B. Wells, July 23, 1920; "Minutes of Cameron County Democratic Convention," July, 1920; J. B. Wells to Q. U. Watson (Houston), August 21, 1920, Wells Papers; Staples, Supplemental Biennial Report, p. 13.

<sup>17</sup>J. B. Wells to J. T. Robeson, July 28, 1920; Robeson to J. B. Wells, July 30, 1920; R. D. Camp and J. B. Wells to T. G. Pearson (New York), August 18, September 9 and 24, 1921; J. B. Wells to R. J. Kleberg, October 15, 1921; Pearson to J. B. Wells, August 19, 1921; J. B. Wells to S. L. Staples (Secretary of State), September 2, 1921; John W. Stayton (Holland's Magazine) to J. B. Wells, November 22, 1921; J. B. Wells to Stayton, November 25, 1921; J. B. Wells to Camp, June 29, 1922, Wells Papers; Texas, Legislature, House Journal, 37th Leg., 1st Called Sess., pp. 197, 538, 650.



Wells also continued to advise Garner. And Garner, meanwhile, had risen in stature and responsibility. "Speaking confidentially," he wrote Wells in 1921, " . . . if the Democrats carry the House next year and I am re-elected to Congress, I will be elected Speaker. . . . As I grow older I think I grow more appreciative, and I never think of myself or my service in Congress that I do not remember that it all would have been impossible had it not been for your goodness-I shall never cease to love you for it."<sup>18</sup> A few weeks earlier, Garner, following Wells' directions, had turned back a challenge from John Briscoe of Devine.<sup>19</sup>

In 1922, Wells participated in his last campaign. The Ku Klux Klan, under the alleged leadership of Cameron County Sheriff W. T. Vann, developed strong support in the irrigation communities and kept the Wells faction from delivering the Valley vote in the primary to Senator Culberson and in the fall to W. F. Timon.<sup>20</sup> But, all was not lost for the Wells faction. Joe K. Wells recruited Sam Robertson of San

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<sup>18</sup>Garner to J. B. Wells, September 19, 1921, Wells Papers.

<sup>19</sup>Garner to J. K. Wells, May 15 and 31, 1922; Garner to J. B. Wells, May 29, 1922; J. B. Wells to Garner, June 3, 1922, Wells Papers; Staples, Supplemental Biennial Report, 1922, p. 107.

<sup>20</sup>J. B. Wells to C. W. Journey, December 27, 1921; J. B. Wells to Garner, March 2, 1922; Garner to J. B. Wells, April 4 and June 2, 1922; J. B. Wells to Parr, March 31 and July 20, 1922; J. B. Wells to Culberson, April 26 and June 26, 1922; J. K. Wells to Garner, May 26, 1922; J. B. Wells to Joseph W. Bailey, August 30, 1922, Wells Papers.

Benito who, in a hot contest, defeated Sheriff Vann,<sup>21</sup> and Archie Parr easily defeated Asher Smith of Cameron County for the state senate.<sup>22</sup> Timon and Culberson's defeat, however, embittered Wells, who repined, "Guile and Craft are now the only watchwords."<sup>23</sup>

By 1923, Wells was too weak to travel, but he continued a steady stream of correspondence from his bedside. He opposed the drafting of a new state constitution because he feared an assault on property rights, he continued to write friends in behalf of wildlife bills, and he opposed a state income tax. During the spring, his old friend Jeff McLemore effected a rapprochement by mail between the old Jefe and Colonel House.<sup>24</sup>

In November, Wells was forced to give up his practice. He had become too feeble to go to his office or to attend court. Rarely afterwards leaving the house, he spent his last days reading and conversing with old friends. On De-

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<sup>21</sup>J. B. Wells to Vann, June 12, 1922; Parr to J. B. Wells, August 28, 1922, Wells Papers. Staples, Supplemental Biennial Report, 1922, p. 143.

<sup>22</sup>Parr to J. B. Wells, March 23 and 26, 1922; J. B. Wells to Parr, August 30, 1922, Wells Papers.

<sup>23</sup>J. B. Wells to Drought, July 1, 1922, Wells Papers.

<sup>24</sup>J. B. Wells to M. T. Cogley (Laredo), February 21, 1923; J. B. Wells to R. J. Kleberg, January 23, 1923; J. B. Wells to Caesar Kleberg and Parr, February 27, 1923; J. B. Wells to Parr, February 27, April 2, and May 22, 1923; J. B. Wells to Thomas D. Barton (Adjutant General), March 21, 1923; E. M. House to J. B. Wells, April 4, 1923; J. B. Wells to House, April 10, 1923, Wells Papers.

cember 21, he arose at daybreak, as was his custom, and walked over to his chiffonier to get one of his favorite "Target" cigarettes. Then, turning toward the hearth where kindling had been prepared, he stepped into Eternity and greeted his Maker.<sup>25</sup> After a simple Requiem Mass attended by scores of his faithful ranchero allies and by close friends of the family, he was buried on Christmas Eve in Brownsville next to his beloved "Little Judge."

James Babbage Wells, Jr., had spent more than forty-five years charting and directing the political and economic development of the Lower Rio Grande Valley. With his San Jacinto prejudices and his Southern upbringing, he had entered what was essentially a Mexican frontier region simply to practice law and to accumulate property. Quiet, studious, self-effacing, and selfless by nature and training, he appeared at the time an unlikely choice for a political chief, but Stephen Powers, A. J. Leo, and other responsible Valley leaders early perceived that he had the essential qualities for that role. Observing that, unlike others with similar backgrounds, he did not condemn the ways of the Valley and ✓ that he easily adapted, they taught him how to work within the social and political system. During his novitiate, Wells grew to love and to understand the Mexican-Texan people of the Rio Grande Valley and became absorbed, perhaps without

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<sup>25</sup>Robert C. Wells to Baulch, interview, July 9, 1973.



realizing it, with the task of getting them to understand American traditions and ideals.

After a decade of apprenticeship, Wells began his active leadership during the Catarino Garza disturbance. His extensive knowledge of the rancheros and his demonstrated concern for them as their abagado primo opened their doors to him, and he convinced them of the futility of supporting revolutionary activity. His efforts ended the abortive revolt and marked the beginning of the Americanization of South Texas Mexican-Texans.

Paralleling his role as defensor de la raza, Wells inherited from Powers a prominent position in regional politics. Although during the early years of his career he was without political ambition, his concern for his clients, for states' rights, and for the Mexican-Texans caused him to seek to control the political machinery to insure that men with similar views won office. His Southern upbringing dictated that his candidates were almost always conservative Democrats, who regarded property rights as sacrosanct. He never expected too much from them, however, "for he knew intuitively the possibilities of the material with which he worked. If the results were less than he expected, he quietly but firmly renewed his efforts; and held weaker men to their duty by gentle pressure."<sup>26</sup> Among those he recruited

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<sup>26</sup>Davenport, "Life of James B. Wells," Davenport Papers.

and guided politically over the years were United States Congressmen W. H. Crain of Cuero, Rudolph Kleberg of Cuero, Jeff McLemore of Austin, and John Nance Garner of Uvalde, state Representatives Will Seabury of Rio Grande City, Speaker of the House in 1905, J. T. Canales of Brownsville, and Patt Dunn of Corpus Christi, and state Senators John Willacy of Portland and Archie Parr of Benavides. Through these men, Wells was, for many years, an effective lobbyist and exercised a powerful influence in South Texas politics.

As the acknowledged political leader of the Valley, Wells held several important positions. From 1882 until his retirement in 1922, he was Cameron County Democratic Chairman. This post he used skillfully and, on occasion, unmercifully to control county politics. From 1892 to 1900, he served on the State Executive Committee of the Democratic Party. During this period, he allied with E. M. House of Austin and consistently delivered large Valley majorities to the House faction candidates. In 1897, he was rewarded by Governor Culberson with an appointment as judge of the Twenty-eighth Judicial District. From 1900 to 1904, Wells capped his public career by serving two terms as Chairman of the Democratic Party State Executive Committee. During his tenure, he put to use party funds and his influence to launch the congressional career of John Nance Garner.

In addition to his political accomplishments, Wells was a leading figure in the economic development of the



Lower Rio Grande Valley. Closely associated with Richard King, Mifflin and John Kenedy, Manuel Guerra, John Closner, Robert J. Kleberg, E. B. Raymond, John Armstrong, and other economically powerful Valley men, he worked to attract investment, settlers, a railroad, and oil development. Especially important were his efforts to bring rail transportation into the Lower Valley. With Robert Stayton and R. J. Kleberg, Wells began the drive in 1890 to secure a railroad, and, for a decade after the first failure, he persevered almost alone. The formation in 1903 of the St. Louis, Brownsville and Mexico Railway Company was in a large measure due to his persistence. The S. L., B. and M. in 1904 spanned the 144 miles between Robstown and Brownsville and precipitated the rapid transformation of the Lower Valley from ranchland to a garden paradise.

Despite his political and economic achievements, Wells regarded his legal accomplishments as even more important. As the attorney for the King and Kenedy ranches, cases involving land ownership in the region between the Rio Grande and the Nueces River constituted his chief concern. Since many of the Mexican and Spanish grants within these bounds had not been recorded in Texas, almost every case was unique. In those cases where there was a distinction between public and private rights arising under Texas and Mexican law, in those where title to oil and gas reserved to the sovereign under Mexican and Spanish grants was relinquished to the



surface owners by the Texas Constitution, and in those where Texas requirements for the filing of Mexican and Spanish field notes before 1830 violated the United States Constitution, Wells' briefs, written into the opinions of the Texas Supreme Court, became precedent for later judiciary decisions. He once boasted that he had persuaded the Texas Supreme Court to validate, one by one, all of the many Spanish and Mexican land grants placed in his charge for adjudication and that "not one grain of sand" was ever lost by a rightful owner.

In the twilight of his life, even after his power and wealth had dissipated, Wells made, perhaps, his greatest but least recognized political contribution. The Valley was in the throes of an economic, political, and social transformation precipitated by the influx of resistless waves of new Americans. Restless, energetic, contemptuous of the traditions of their predecessors, and with little understanding of or regard for the existing social system, the new immigrants ruthlessly endeavored to overthrow the old political order. Encouraged by ambitious leaders who shared their views, the newcomers quickly acquired "the belief that it was their patriotic duty to go to the polls at the first opportunity and vote to overthrow 'boss rule' particularly in the person of James B. Wells."<sup>27</sup> Moreover, a growing fear of

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<sup>27</sup>Davenport, "Life of James B. Wells," Davenport Papers.

Mexican-Texans resulting from border raiding, the 1915 San Diego Plot, and the 1917 Zimmermann Note led to the rise of demagogic politicians who urged the newcomers to dispossess the old inhabitants and to defeat those who relied on this racial element for political power. Because of this situation, Wells, who by 1917 had virtually abdicated his role as political chief, reentered politics. After helping Parr turn back the challenge of a group that he considered demagogic, he then, by persuasion and friendship, reorganized the South Texas Democratic coalition, insisting that the newcomers be represented and consulted in all party councils and that the old inhabitants be protected in all those rights guaranteed by the law of the land.<sup>28</sup> Such effort smoothed the transition period.

When he finally retired from active command of the South Texas Democrats, Wells' political coalition collapsed. Occasionally other politicians tried to rebuild regional political unity, but their efforts have been far less effective. According to at least one acute political observer: "Since you have not taken an active part in politics, things have changed"; the new leaders could "not hold the voters together five minutes while you held them fifty years."<sup>29</sup>

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<sup>28</sup>J. B. Wells to W. B. Hopkins, June 10, 1920; J. B. Wells to T. D. Barton (Adjutant General), March 21, 1923, Wells Papers.

<sup>29</sup>E. B. Edwards (Corpus Christi) to J. B. Wells, August 2, 1922, Wells Papers.

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